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125 S.Ct. 2796
Supreme Court of the United States

TOWN OF CASTLE ROCK, COLORADO, Petitioner,
v.
Jessica GONZALES, individually and as next best friend of her deceased minor children, Rebecca Gonzales, Katheryn Gonzales, and Leslie Gonzales.

No. 04-278. | Argued March 21, 2005. | Decided June 27, 2005.

Synopsis
Background: Wife brought civil rights action against municipality and police officers based on officers' refusal to enforce domestic abuse restraining order against husband. The United States District Court for the District of Colorado, Wiley Daniel, J., dismissed the action for failure to state a claim. The Tenth Circuit Court of Appeals, 307 F.3d 1258, reversed. Upon rehearing en banc, the Tenth Circuit Court of Appeals, Seymour, Circuit Judge, 366 F.3d 1093, reversed the District Court's decision and remanded.

Holdings: Following grant of certiorari, the United States Supreme Court, Justice Scalia held that:

[1] Supreme Court would not defer to the Tenth Circuit Court of Appeals' determination that Colorado law gave wife a right to have police enforce restraining order;

[2] Colorado law did not create personal entitlement to police enforcement of restraining orders; and

[3] wife did not have protected property interest in police enforcement of restraining order.

Reversed.

Justice Souter filed concurring opinion, in which Justice Breyer joined.

Justice Stevens filed dissenting opinion, in which Justice Ginsburg joined.

West Headnotes (12)

[1] Constitutional Law
Rights, Interests, Benefits, or Privileges Involved in General
92 Constitutional Law
92XXVII Due Process
92XXVII(B) Protections Provided and Deprivations Prohibited in General
92k3868 Rights, Interests, Benefits, or Privileges Involved in General
92k3869 In general
(Formerly 92k252.5)
The procedural component of the Due Process Clause does not protect everything that might be described as a benefit. U.S.C.A. Const.Amend. 14.

23 Cases that cite this headnote

[2] Constitutional Law
Benefits, rights and interests in
92 Constitutional Law
92XXVII Due Process
92XXVII(B) Protections Provided and Deprivations Prohibited in General
92k3868 Rights, Interests, Benefits, or Privileges Involved in General
92k3874 Property Rights and Interests
92k3874(3) Benefits, rights and interests in
(Formerly 92k277(1))
To have a protected property interest in a benefit, for due process purposes, a person must have more than an abstract need or desire and more than a unilateral expectation of it. U.S.C.A. Const.Amend. 14.

51 Cases that cite this headnote

[3] Constitutional Law
Benefits, rights and interests in
92 Constitutional Law
92XXVII Due Process
92XXVII(B) Protections Provided and Deprivations Prohibited in General

92k3868 Rights, Interests, Benefits, or Privileges Involved in General
92k3874 Property Rights and Interests
92k3874(3) Benefits, rights and interests in (Formerly 92k277(1))

To have a protected property interest in a benefit, for due process purposes, a person must have a legitimate claim of entitlement to it. U.S.C.A. Const.Amend. 14.

79 Cases that cite this headnote

[4] Constitutional Law
Source of right or interest

92 Constitutional Law
92XXVII Due Process
92XXVII(B) Protections Provided and Deprivations Prohibited in General
92k3868 Rights, Interests, Benefits, or Privileges Involved in General
92k3874 Property Rights and Interests
92k3874(2) Source of right or interest (Formerly 92k277(1))

Property interests, in the due process context, are created and their dimensions are defined by existing rules or understandings that stem from an independent source such as state law. U.S.C.A. Const.Amend. 14.

64 Cases that cite this headnote

[5] Constitutional Law
Rights, Interests, Benefits, or Privileges Involved in General

92 Constitutional Law
92XXVII Due Process
92XXVII(B) Protections Provided and Deprivations Prohibited in General
92k3868 Rights, Interests, Benefits, or Privileges Involved in General
92k3869 In general (Formerly 92k252.5)

A benefit is not a protected entitlement, for due process purposes, if government officials may grant or deny it in their discretion. U.S.C.A. Const.Amend. 14.

89 Cases that cite this headnote

[6] Constitutional Law
Source of right or interest

92 Constitutional Law
92XXVII Due Process
92XXVII(B) Protections Provided and Deprivations Prohibited in General
92k3868 Rights, Interests, Benefits, or Privileges Involved in General
92k3874 Property Rights and Interests
92k3874(2) Source of right or interest (Formerly 92k277(1))

Although the underlying substantive interest in property is created by an independent source such as state law, federal constitutional law determines whether that interest rises to the level of a legitimate claim of entitlement protected by the Due Process Clause. U.S.C.A. Const.Amend. 14.

97 Cases that cite this headnote

[7] Federal Courts
Review on Certiorari

170B Federal Courts
170BVII Supreme Court
170BVII(B) Review of Decisions of Courts of Appeals
170Bk460 Review on Certiorari
170Bk460.1 In general

The Supreme Court would not defer to the Tenth Circuit Court of Appeals' determination that Colorado law gave wife a right to have police enforce a domestic abuse restraining order against her husband, for purpose of determining ultimate question of whether wife had protected property interest in police enforcement, in wife's civil rights action against police and municipality, arising from failure to enforce order; the Court of Appeals' opinion did not draw upon state-specific case law or expertise, but instead relied upon language that appeared in many state restraining law statutes. U.S.C.A. Const.Amend. 14; West's C.R.S.A. § 18-6-803.5(3)(a, b).

33 Cases that cite this headnote

[8] Constitutional Law
Orders for protection

Municipal Corporations
Injuries by Mobs or Other Wrongdoers

92 Constitutional Law

92XXVII Due Process
92XXVII(G) Particular Issues and Applications
92XXVII(G)25 Other Particular Issues and Applications
92k4488 Orders for protection
(Formerly 92k277(1))
268 Municipal Corporations
268XII Torts
268XII(A) Exercise of Governmental and Corporate Powers in General
268k740 Injuries by Mobs or Other Wrongdoers
268k740(1) In general

Colorado law did not create a personal entitlement to police enforcement of domestic abuse restraining orders, for purpose of determining whether wife had protected property interest in police enforcement of restraining order against husband, in civil rights action against police and municipality, arising from failure to enforce it; although restraining order statute provided that police "shall use" every reasonable means to enforce a restraining order, tradition of police discretion coexisted with similar mandatory arrest provisions, enforcement was not always possible or practical, statute provided for alternative to immediate enforcement, which was the seeking of an arrest warrant, an entitlement to procedure only, and although statute provided for a protected person's direct power to initiate contempt proceedings against restrained person if order was violated, it did not expressly give protected person a right to request or demand an arrest. U.S.C.A. Const.Amend. 14; West's C.R.S.A. §§ 18-6-803.5(3)(a, b), 18-6-803.6(1).

97 Cases that cite this headnote

[9] Constitutional Law
Rights, Interests, Benefits, or Privileges Involved in General

92 Constitutional Law
92XXVII Due Process
92XXVII(B) Protections Provided and Deprivations Prohibited in General
92k3868 Rights, Interests, Benefits, or Privileges Involved in General
92k3869 In general
(Formerly 92k252.5)

A person cannot safely be deemed "entitled" to something, for purpose of determining whether person has protected due process interest, when the identity of the alleged entitlement is vague. U.S.C.A. Const.Amend. 14.

7 Cases that cite this headnote

[10] Constitutional Law
Orders for protection

Municipal Corporations
Injuries by Mobs or Other Wrongdoers

92 Constitutional Law
92XXVII Due Process
92XXVII(G) Particular Issues and Applications
92XXVII(G)25 Other Particular Issues and Applications
92k4488 Orders for protection
(Formerly 92k277(1))
268 Municipal Corporations
268XII Torts
268XII(A) Exercise of Governmental and Corporate Powers in General
268k740 Injuries by Mobs or Other Wrongdoers
268k740(1) In general

Wife did not have protected property interest in police enforcement of restraining order, issued pursuant to Colorado law, against her husband, and thus, she could not prevail in civil rights action against police and municipality for an alleged due process violation, arising from failure to enforce it; even assuming that Colorado law created an entitlement to police enforcement of the restraining order, it was an indirect benefit, rather than a direct benefit. U.S.C.A. Const.Amend. 14; West's C.R.S.A. § 18-6-803.5(3)(a, b).

52 Cases that cite this headnote

[11] Constitutional Law
Protections Provided and Deprivations Prohibited in General

92 Constitutional Law
92XXVII Due Process
92XXVII(B) Protections Provided and Deprivations Prohibited in General
92k3865 In general
(Formerly 92k278(1), 92k255(1))

An indirect and incidental result of the government's enforcement action does not amount to a deprivation of any interest in life,

liberty, or property, for due process purposes. U.S.C.A. Const.Amend. 14.

12 Cases that cite this headnote

[12] Constitutional Law
Investigative activity in general

92 Constitutional Law
92XXVII Due Process
92XXVII(H) Criminal Law
92XXVII(H)3 Law Enforcement
92k4521 Conduct of Police and Prosecutors in General
92k4523 Investigative activity in general
(Formerly 92k252.5)

A state-law created benefit that a third party may receive from having someone else arrested for a crime generally does not trigger protections under the Due Process Clause, neither in its procedural nor in its substantive manifestations. U.S.C.A. Const.Amend. 14.

43 Cases that cite this headnote

****2798 *748 *Syllabus* [*]**

Respondent filed this suit under 42 U.S.C. § 1983 alleging that petitioner violated the Fourteenth Amendment's Due Process Clause when its police officers, acting pursuant to official policy or custom, failed to respond to her repeated reports over several hours that her estranged husband had taken their three children in violation of her restraining order against him. Ultimately, the husband murdered the children. The District Court granted the town's motion to dismiss, but an en banc majority of the Tenth Circuit reversed, finding that respondent had alleged a cognizable procedural due process claim because a Colorado statute established the state legislature's clear intent to require police to enforce restraining orders, and thus its intent that the order's recipient have an entitlement to its enforcement. The court therefore ruled, among other things, that respondent had a protected property interest in the enforcement of her restraining order.

Held: Respondent did not, for Due Process Clause purposes, have a property interest in police enforcement of the restraining order against her husband. Pp. 2802-2810.

(a) The Due Process Clause's procedural component does not protect everything ****2799** that might be described as a government "benefit": "To have a property interest in a benefit, a person ... must ... have a legitimate claim of entitlement to it." *Board of Regents of State Colleges v. Roth*, 408 U.S. 564, 577, 92 S.Ct. 2701, 33 L.Ed.2d 548. Such entitlements are created by existing rules or understandings stemming from an independent source such as state law. *E.g.*, *ibid.* Pp. 2802-2803.

(b) A benefit is not a protected entitlement if officials have discretion to grant or deny it. See, *e.g.*, *Kentucky Dept. of Corrections v. Thompson*, 490 U.S. 454, 462-463, 109 S.Ct. 1904, 104 L.Ed.2d 506. It is inappropriate here to defer to the Tenth Circuit's determination that Colorado law gave respondent a right to police enforcement of the restraining order. This Court therefore proceeds to its own analysis. Pp. 2803-2804.

(c) Colorado law has not created a personal entitlement to enforcement of restraining orders. It does not appear that state law truly made such enforcement *mandatory*. A well-established tradition of police ***749** discretion has long coexisted with apparently mandatory arrest statutes. Cf. *Chicago v. Morales*, 527 U.S. 41, 47, n. 2, 62, n. 32, 119 S.Ct. 1849, 144 L.Ed.2d 67. Against that backdrop, a true mandate of police action would require some stronger indication than the Colorado statute's direction to "use every reasonable means to enforce a restraining order" or even to "arrest ... or ... seek a warrant." A Colorado officer would likely have some discretion to determine that-despite probable cause to believe a restraining order has been violated-the violation's circumstances or competing duties counsel decisively against enforcement in a particular instance. The practical necessity for discretion is particularly apparent in a case such as this, where the suspected violator is not actually present and his whereabouts are unknown. In such circumstances, the statute does not appear to require officers to arrest but only to seek a warrant. That, however, would be an entitlement to nothing but procedure, which cannot be the basis for a property interest. Pp. 2804-2808.

(d) Even if the statute could be said to make enforcement "mandatory," that would not necessarily mean that respondent has an entitlement to enforcement. Her alleged interest stems not from common law or contract, but only from a State's *statutory* scheme. If she was given a statutory entitlement, the Court would expect to see some indication of that in the statute itself. Although the statute spoke

of "protected person[s]" such as respondent, it did so in connection with matters other than a right to enforcement. Most importantly, it spoke directly to the protected person's power to "initiate" contempt proceedings if the order was issued in a civil action, which contrasts tellingly with its conferral of a power merely to "request" initiation of criminal contempt proceedings-and even more dramatically with its complete silence about any power to "request" (much less demand) that an arrest be made. Pp. 2808-2809.

(e) Even were the Court to think otherwise about Colorado's creation of an entitlement, it is not clear that an individual entitlement to enforcement of a restraining order could constitute a "property" interest for due process purposes. Such a right would have no ascertainable monetary value and would arise incidentally, not out of some new species of government benefit or service, but out of a function that government actors have always performed-arresting people when they have probable cause. A benefit's indirect nature was fatal to a due process claim in *O'Bannon v. Town Court Nursing Center*, 447 U.S. 773, 787, 100 S.Ct. 2467, 65 L.Ed.2d 506. Here, ****2800** as there, "[t]he simple distinction between government action that directly affects a citizen's legal rights ... and action that is directed against a third party and affects the citizen only ... incidentally, provides ***750** a sufficient answer to" cases finding government-provided services to be entitlements. *Id.*, at 788, 100 S.Ct. 2467. Pp. 2809-2810.

366 F.3d 1093, reversed.

SCALIA, J., delivered the opinion of the Court, in which REHNQUIST, C. J., and O'CONNOR, KENNEDY, SOUTER, THOMAS, and BREYER, JJ., joined. SOUTER, J., filed a concurring opinion, in which BREYER, J., joined, *post*, p. 2811. STEVENS, J., filed a dissenting opinion, in which GINSBURG, J., joined, *post*, p. 2813.

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Opinion

Justice SCALIA delivered the opinion of the Court.

We decide in this case whether an individual who has obtained a state-law restraining order has a constitutionally ***751** protected property interest in having the police enforce the restraining order when they have probable cause to believe it has been violated.

I

The horrible facts of this case are contained in the complaint that respondent Jessica Gonzales filed in Federal District Court. (Because the case comes to us on appeal from a dismissal of the complaint, we assume its allegations are true. See *Swierkiewicz v. Sorema N. A.*, 534 U.S. 506, 508, n. 1, 122 S.Ct. 992, 152 L.Ed.2d 1 (2002).) Respondent alleges that petitioner, the town of Castle Rock, Colorado, violated the Due Process Clause of the Fourteenth Amendment to the United States Constitution when its police officers, acting pursuant to official policy or custom, failed to respond properly to her repeated reports that her estranged husband was violating the terms of a restraining order. [1]

The restraining order had been issued by a state trial court several weeks earlier in conjunction with respondent's divorce proceedings. The original form order, issued on May 21, 1999, and served on respondent's husband on June 4, 1999, commanded him not to "molest or disturb the ****2801** peace of [respondent] or of any child," and to remain at least 100 yards from the family home at all times. 366 F.3d 1093, 1143 (C.A.10 2004) (en banc) (appendix to dissenting opinion of O'Brien, J.). The bottom of the preprinted form noted that the reverse side contained "IMPORTANT NOTICES FOR RESTRAINED PARTIES AND LAW ENFORCEMENT OFFICIALS." *Ibid.* (emphasis deleted). The preprinted ***752** text on the back of the form included the following **"WARNING"**:

> "**A KNOWING VIOLATION OF A RESTRAINING ORDER IS A CRIME** .... A VIOLATION WILL ALSO CONSTITUTE CONTEMPT OF COURT. **YOU MAY BE ARRESTED** WITHOUT NOTICE IF A LAW

> ENFORCEMENT OFFICER HAS PROBABLE CAUSE TO BELIEVE THAT YOU HAVE KNOWINGLY VIOLATED THIS ORDER." *Id.,* at 1144 (emphasis in original).

The preprinted text on the back of the form also included a **"NOTICE TO LAW ENFORCEMENT OFFICIALS,"** which read in part:

> "YOU SHALL USE EVERY REASONABLE MEANS TO ENFORCE THIS RESTRAINING ORDER. YOU SHALL ARREST, OR, IF AN ARREST WOULD BE IMPRACTICAL UNDER THE CIRCUMSTANCES, SEEK A WARRANT FOR THE ARREST OF THE RESTRAINED PERSON WHEN YOU HAVE INFORMATION AMOUNTING TO PROBABLE CAUSE THAT THE RESTRAINED PERSON HAS VIOLATED OR ATTEMPTED TO VIOLATE ANY PROVISION OF THIS ORDER AND THE RESTRAINED PERSON HAS BEEN PROPERLY SERVED WITH A COPY OF THIS ORDER OR HAS RECEIVED ACTUAL NOTICE OF THE EXISTENCE OF THIS ORDER." *Ibid.* (same).

On June 4, 1999, the state trial court modified the terms of the restraining order and made it permanent. The modified order gave respondent's husband the right to spend time with his three daughters (ages 10, 9, and 7) on alternate weekends, for two weeks during the summer, and, " 'upon reasonable notice,' " for a midweek dinner visit " 'arranged by the parties' "; the modified order also allowed him to visit ***753** the home to collect the children for such "parenting time." *Id.,* at 1097 (majority opinion).

According to the complaint, at about 5 or 5:30 p.m. on Tuesday, June 22, 1999, respondent's husband took the three daughters while they were playing outside the family home. No advance arrangements had been made for him to see the daughters that evening. When respondent noticed the children were missing, she suspected her husband had taken them. At about 7:30 p.m., she called the Castle Rock Police Department, which dispatched two officers. The complaint continues: "When [the officers] arrived ..., she showed them a copy of the TRO and requested that it be enforced and the three children be returned to her immediately. [The officers] stated that there was nothing they could do about the TRO and suggested that [respondent] call the Police Department again if the three children did not return home by 10:00 p.m." App. to Pet. for Cert. 126a. [2]

At approximately 8:30 p.m., respondent talked to her husband on his cellular telephone. He told her "he had the three children [at an] amusement park in Denver." *Ibid.* She called the police again and ****2802** asked them to "have someone check for" her husband or his vehicle at the amusement park and "put out an [all points bulletin]" for her husband, but the officer with whom she spoke "refused to do so," again telling her to "wait until 10:00 p.m. and see if" her husband returned the girls. *Id.,* at 126a-127a.

At approximately 10:10 p.m., respondent called the police and said her children were still missing, but she was now told to wait until midnight. She called at midnight and told the dispatcher her children were still missing. She went to her husband's apartment and, finding nobody there, called the police at 12:10 a.m.; she was told to wait for an officer to arrive. When none came, she went to the police station at ***754** 12:50 a.m. and submitted an incident report. The officer who took the report "made no reasonable effort to enforce the TRO or locate the three children. Instead, he went to dinner." *Id.,* at 127a.

At approximately 3:20 a.m., respondent's husband arrived at the police station and opened fire with a semiautomatic handgun he had purchased earlier that evening. Police shot back, killing him. Inside the cab of his pickup truck, they found the bodies of all three daughters, whom he had already murdered. *Ibid.*

On the basis of the foregoing factual allegations, respondent brought an action under Rev. Stat. § 1979, 42 U.S.C. § 1983, claiming that the town violated the Due Process Clause because its police department had "an official policy or custom of failing to respond properly to complaints of restraining order violations" and "tolerate[d] the non-enforcement of restraining orders by its police officers." App. to Pet. for Cert. 129a. [3] The complaint also alleged that the town's actions "were taken either willfully, recklessly or with such gross negligence as to indicate wanton disregard and deliberate indifference to" respondent's civil rights. *Ibid.*

Before answering the complaint, the defendants filed a motion to dismiss under Federal Rule of Civil Procedure 12(b)(6). The District Court granted the motion, concluding that, whether construed as making a substantive due process or procedural due process claim, respondent's complaint failed to state a claim upon which relief could be granted.

A panel of the Court of Appeals affirmed the rejection of a substantive due process claim, but found that respondent had alleged a cognizable procedural due process claim. 307 F.3d 1258 (C.A.10 2002). On rehearing en banc, a divided ***755** court reached the same disposition, concluding that respondent had a "protected property interest in the enforcement of the terms of her restraining order" and that the town had deprived her of due process because "the police never 'heard' nor seriously entertained her request to enforce and protect her interests in the restraining order." 366 F.3d, at 1101, 1117. We granted certiorari. 543 U.S. 955, 125 S.Ct. 417, 160 L.Ed.2d 316 (2004).

II

The Fourteenth Amendment to the United States Constitution provides that a State shall not "deprive any person of life, liberty, or property, without due process of law." Amdt. 14, § 1. In 42 U.S.C. § 1983, Congress has created a federal cause of action for "the deprivation of any rights, privileges, or immunities secured by the ****2803** Constitution and laws." Respondent claims the benefit of this provision on the ground that she had a property interest in police enforcement of the restraining order against her husband; and that the town deprived her of this property without due process by having a policy that tolerated nonenforcement of restraining orders.

As the Court of Appeals recognized, we left a similar question unanswered in *DeShaney v. Winnebago County Dept. of Social Servs.*, 489 U.S. 189, 109 S.Ct. 998, 103 L.Ed.2d 249 (1989), another case with "undeniably tragic" facts: Local child-protection officials had failed to protect a young boy from beatings by his father that left him severely brain damaged. *Id.*, at 191-193, 109 S.Ct. 998. We held that the so-called "substantive" component of the Due Process Clause does not "requir[e] the State to protect the life, liberty, and property of its citizens against invasion by private actors." *Id.*, at 195, 109 S.Ct. 998. We noted, however, that the petitioner had not properly preserved the argument that-and we thus "decline[d] to consider" whether-state "child protection statutes gave [him] an 'entitlement' to receive protective services in accordance with the terms of the statute, an entitlement which would enjoy due process protection." *Id.*, at 195, n. 2, 109 S.Ct. 998.

[1] **[2]** **[3]** **[4]** ***756** The procedural component of the Due Process Clause does not protect everything that might be described as a "benefit": "To have a property interest in a benefit, a person clearly must have more than an abstract need or desire" and "more than a unilateral expectation of it. He must, instead, have a legitimate claim of entitlement to it." *Board of Regents of State Colleges v. Roth*, 408 U.S. 564, 577, 92 S.Ct. 2701, 33 L.Ed.2d 548 (1972). Such entitlements are, " 'of course, ... not created by the Constitution. Rather, they are created and their dimensions are defined by existing rules or understandings that stem from an independent source such as state law.' " *Paul v. Davis*, 424 U.S. 693, 709, 96 S.Ct. 1155, 47 L.Ed.2d 405 (1976) (quoting *Roth, supra*, at 577, 92 S.Ct. 2701); see also *Phillips v. Washington Legal Foundation*, 524 U.S. 156, 164, 118 S.Ct. 1925, 141 L.Ed.2d 174 (1998).

A

[5] Our cases recognize that a benefit is not a protected entitlement if government officials may grant or deny it in their discretion. See, *e.g.*, *Kentucky Dept. of Corrections v. Thompson*, 490 U.S. 454, 462-463, 109 S.Ct. 1904, 104 L.Ed.2d 506 (1989). The Court of Appeals in this case determined that Colorado law created an entitlement to enforcement of the restraining order because the "court-issued restraining order ... specifically dictated that its terms must be enforced" and a "state statute command[ed]" enforcement of the order when certain objective conditions were met (probable cause to believe that the order had been violated and that the object of the order had received notice of its existence). 366 F.3d, at 1101, n. 5; see also *id.*, at 1100, n. 4; *id.*, at 1104-1105, and n. 9. Respondent contends that we are obliged "to give deference to the Tenth Circuit's analysis of Colorado law on" whether she had an entitlement to enforcement of the restraining order. Tr. of Oral Arg. 52.

[6] We will not, of course, defer to the Tenth Circuit on the ultimate issue: whether what Colorado law has given respondent constitutes a property interest for purposes of the Fourteenth Amendment. That determination, despite its ***757** state-law underpinnings, is ultimately one of federal constitutional law. "Although the underlying substantive interest is created by 'an independent source such as state law,' *federal constitutional law* ****2804** determines whether that interest rises to the level of a 'legitimate claim of entitlement' protected by the Due Process Clause." *Memphis Light, Gas & Water Div. v. Craft*, 436 U.S. 1, 9, 98 S.Ct. 1554, 56 L.Ed.2d 30 (1978) (quoting *Roth, supra*, at 577, 92 S.Ct. 2701; emphasis added); cf. *United States ex rel. TVA v. Powelson*, 319 U.S. 266, 279, 63 S.Ct. 1047, 87 L.Ed.

1390 (1943). Resolution of the federal issue begins, however, with a determination of what it is that state law provides. In the context of the present case, the central state-law question is whether Colorado law gave respondent a right to police enforcement of the restraining order. It is on this point that respondent's call for deference to the Tenth Circuit is relevant.

[7] We have said that a "presumption of deference [is] given the views of a federal court as to the law of a State within its jurisdiction." *Phillips, supra,* at 167, 118 S.Ct. 1925. That presumption can be overcome, however, see *Leavitt v. Jane L.,* 518 U.S. 137, 145, 116 S.Ct. 2068, 135 L.Ed.2d 443 (1996) *(per curiam),* and we think deference inappropriate here. The Tenth Circuit's opinion, which reversed the Colorado District Judge, did not draw upon a deep well of state-specific expertise, but consisted primarily of quoting language from the restraining order, the statutory text, and a state-legislative-hearing transcript. See 366 F.3d, at 1103-1109. These texts, moreover, say nothing distinctive to Colorado, but use mandatory language that (as we shall discuss) appears in many state and federal statutes. As for case law: The only state-law cases about restraining orders that the Court of Appeals relied upon were decisions of Federal District Courts in Ohio and Pennsylvania and state courts in New Jersey, Oregon, and Tennessee. *Id.,* at 1104-1105, n. 9, 1109. [4] Moreover, if we were simply to accept ***758** the Court of Appeals' conclusion, we would necessarily have to decide conclusively a federal constitutional question (*i.e.*, whether such an entitlement constituted property under the Due Process Clause and, if so, whether petitioner's customs or policies provided too little process to protect it). We proceed, then, to our own analysis of whether Colorado law gave respondent a right to enforcement of the restraining order. [5]

B

[8] The critical language in the restraining order came not from any part of the order itself (which was signed by the state-court trial judge and directed to the restrained party, respondent's husband), but from the preprinted notice to law-enforcement personnel that appeared on ****2805** the back of the order. See *supra,* at 2801. That notice effectively restated the statutory provision describing "peace officers' duties" related to the crime of violation of a restraining order. At the time of the conduct at issue in this case, that provision read as follows:

"(a) Whenever a restraining order is issued, the protected person shall be provided with a copy of such ***759** order. *A peace officer shall use every reasonable means to enforce a restraining order.*

"(b) *A peace officer shall arrest, or, if an arrest would be impractical under the circumstances, seek a warrant for the arrest of a restrained person* when the peace officer has information amounting to probable cause that:

"(I) The restrained person has violated or attempted to violate any provision of a restraining order; and

"(II) The restrained person has been properly served with a copy of the restraining order or the restrained person has received actual notice of the existence and substance of such order.

"(c) In making the probable cause determination described in paragraph (b) of this subsection (3), a peace officer shall assume that the information received from the registry is accurate. *A peace officer shall enforce a valid restraining order whether or not there is a record of the restraining order in the registry.*" Colo.Rev.Stat. § 18-6-803.5(3) (Lexis 1999) (emphases added).

The Court of Appeals concluded that this statutory provision-especially taken in conjunction with a statement from its legislative history, [6] and with another statute restricting ***760** criminal and civil liability for officers making arrests [7] -established the Colorado Legislature's clear intent "to alter the fact that the police were not enforcing domestic abuse restraining orders," and thus its intent "that the recipient of a domestic abuse restraining order have an entitlement to its enforcement." 366 F.3d, at 1108. Any other result, it said, "would render domestic abuse restraining orders utterly valueless." *Id.,* at 1109.

This last statement is sheer hyperbole. Whether or not respondent had a right to enforce the restraining order, it rendered certain otherwise lawful conduct by her husband both criminal and in contempt of court. See §§ 18-6-803.5(2)(a), (7). The creation of grounds on which he could be arrested, criminally prosecuted, and held in contempt was hardly "valueless"-even if the prospect of those sanctions ultimately failed to prevent him from committing three murders and a suicide.

We do not believe that these provisions of Colorado law truly made enforcement of restraining orders *mandatory*. A well established tradition of police discretion has ****2806** long coexisted with apparently mandatory arrest statutes.

> "In each and every state there are long-standing statutes that, by their terms, seem to preclude nonenforcement by the police.... However, for a number of reasons, including their legislative history, insufficient resources, and sheer physical impossibility, it has been recognized that such statutes cannot be interpreted literally.... [T]hey clearly do not mean that a police officer may not lawfully decline to ... make an arrest. As to third parties in these states, the full-enforcement statutes simply have no effect, and their significance is ***761** further diminished." 1 ABA Standards for Criminal Justice 1-4.5, commentary, pp. 1-124 to 1-125 (2d ed.1980) (footnotes omitted).

The deep-rooted nature of law-enforcement discretion, even in the presence of seemingly mandatory legislative commands, is illustrated by *Chicago v. Morales*, 527 U.S. 41, 119 S.Ct. 1849, 144 L.Ed.2d 67 (1999), which involved an ordinance that said a police officer " 'shall order' " persons to disperse in certain circumstances, *id.*, at 47, n. 2, 119 S.Ct. 1849. This Court rejected out of hand the possibility that "the mandatory language of the ordinance ... afford[ed] the police *no* discretion." *Id.*, at 62, n. 32, 119 S.Ct. 1849. It is, the Court proclaimed, simply "common sense that *all* police officers must use some discretion in deciding when and where to enforce city ordinances." *Ibid.* (emphasis added).

Against that backdrop, a true mandate of police action would require some stronger indication from the Colorado Legislature than "shall use every reasonable means to enforce a restraining order" (or even "shall arrest ... or ... seek a warrant"), §§ 18-6-803.5(3)(a), (b). That language is not perceptibly more mandatory than the Colorado statute which has long told municipal chiefs of police that they "shall pursue and arrest any person fleeing from justice in any part of the state" and that they "shall apprehend any person in the act of committing any offense ... and, forthwith and without any warrant, bring such person before a ... competent authority for examination and trial." Colo.Rev.Stat. § 31-4-112 (Lexis 2004). It is hard to imagine that a Colorado peace officer would not have some discretion to determine that-despite probable cause to believe a restraining order has been violated-the circumstances of the violation or the competing duties of that officer or his agency counsel decisively against enforcement in a particular instance.[8] ***762** The practical necessity for discretion is particularly apparent in a case such as this one, where the suspected violator is not actually present and his whereabouts are unknown. Cf. *Donaldson v. Seattle*, 65 Wash.App. 661, 671-672, 831 P.2d 1098, 1104 (1992) ("There is a vast difference between a mandatory duty to arrest [a violator who is on the scene] and a mandatory duty to conduct a follow up investigation [to locate an absent violator].... A mandatory duty to investigate ... would be completely open-ended as to priority, duration and intensity").

The dissent correctly points out that, in the specific context of domestic violence, mandatory-arrest statutes have been found ****2807** in some States to be more mandatory than traditional mandatory-arrest statutes. *Post*, at 2816-2819 (opinion of STEVENS, J.). The Colorado statute mandating arrest for a domestic-violence offense is different from but related to the one at issue here, and it includes similar though not identical phrasing. See Colo.Rev.Stat. § 18-6-803.6(1) (Lexis 1999) ("When a peace officer determines that there is probable cause to believe that a crime or offense involving domestic violence ... has been committed, the officer shall, without undue delay, arrest the person suspected of its commission ... "). Even in the domestic-violence context, however, it is unclear how the mandatory-arrest paradigm applies to cases in which the offender is not present to be arrested. As the dissent explains, *post*, at 2817, and n. 8, much of the impetus for mandatory-arrest statutes and policies derived from the idea that it is better for police officers to arrest the aggressor in a domestic-violence incident than to attempt to mediate the dispute or merely to ask the offender to leave the scene. Those other options are only available, of course, when the offender is present at the ***763** scene. See Hanna, No Right to Choose: Mandated Victim Participation in Domestic Violence Prosecutions, 109 Harv. L.Rev. 1849, 1860 (1996) ("[T]he clear trend in police practice is to arrest the batterer *at the scene ...* " (emphasis added)).

As one of the cases cited by the dissent, *post*, at 2818-2819, recognized, "there will be situations when no arrest is possible, *such as when the alleged abuser is not in the home*." *Donaldson*, 65 Wash.App., at 674, 831 P.2d, at 1105 (emphasis added). That case held that Washington's mandatory-arrest statute required an arrest only in "cases where the offender is on the scene," and that it "d[id] not create an on-going mandatory duty to conduct an investigation" to locate the offender. *Id.*, at 675, 831 P.2d, at 1105. Colorado's restraining-order statute appears to contemplate a similar distinction, providing that when

arrest is "impractical"-which was likely the case when the whereabouts of respondent's husband were unknown-the officers' statutory duty is to "seek a warrant" rather than "arrest." § 18-6-803.5(3)(b).

[9] Respondent does not specify the precise means of enforcement that the Colorado restraining-order statute assertedly mandated-whether her interest lay in having police arrest her husband, having them seek a warrant for his arrest, or having them "use every reasonable means, up to and including arrest, to enforce the order's terms," Brief for Respondent 29-30. [9] Such indeterminacy is not the hallmark of a duty that is mandatory. Nor can someone be safely deemed "entitled" to something when the identity of the alleged entitlement is vague. See *Roth*, 408 U.S., at 577, 92 S.Ct. 2701 (considering ***764** whether "certain benefits" were "secure[d]" by rule or understandings); cf. *Natale v. Ridgefield*, 170 F.3d 258, 263 (C.A.2 1999) ("There is no reason ... to restrict the 'uncertainty' that will preclude existence of a federally protectable property interest to the uncertainty that inheres in [the] exercise of discretion"). The dissent, after suggesting various formulations ****2808** of the entitlement in question, [10] ultimately contends that the obligations under the statute were quite precise: either make an arrest or (if that is impractical) seek an arrest warrant, *post*, at 2820. The problem with this is that the seeking of an arrest warrant would be an entitlement to nothing but procedure-which we have held inadequate even to support standing, see *Lujan v. Defenders of Wildlife*, 504 U.S. 555, 112 S.Ct. 2130, 119 L.Ed.2d 351 (1992); much less can it be the basis for a property interest. See *post*, at 2811-2813 (SOUTER, J., concurring). After the warrant is sought, it remains within the discretion of a judge whether to grant it, and after it is granted, it remains within the discretion of the police whether and when to execute it. [11] Respondent would have been assured nothing but the seeking of a warrant. This is not the sort of "entitlement" out of which a property interest is created.

Even if the statute could be said to have made enforcement of restraining orders "mandatory" because of the domestic-violence context of the underlying statute, that would not ***765** necessarily mean that state law gave *respondent* an entitlement to *enforcement* of the mandate. Making the actions of government employees obligatory can serve various legitimate ends other than the conferral of a benefit on a specific class of people. See, *e.g.*, *Sandin v. Conner*, 515 U.S. 472, 482, 115 S.Ct. 2293, 132 L.Ed.2d 418 (1995) (finding no constitutionally protected liberty interest in prison regulations phrased in mandatory terms, in part because "[s]uch guidelines are not set forth solely to benefit the prisoner"). The serving of public rather than private ends is the normal course of the criminal law because criminal acts, "besides the injury [they do] to individuals, ... strike at the very being of society; which cannot possibly subsist, where actions of this sort are suffered to escape with impunity." 4 W. Blackstone, Commentaries on the Laws of England 5 (1769); see also *Huntington v. Attrill*, 146 U.S. 657, 668, 13 S.Ct. 224, 36 L.Ed. 1123 (1892). This principle underlies, for example, a Colorado district attorney's discretion to prosecute a domestic assault, even though the victim withdraws her charge. See *People v. Cunefare*, 102 P.3d 302, 311-312 (Colo.2004) (en banc) (Bender, J., concurring in part, dissenting in part, and dissenting in part to the judgment).

Respondent's alleged interest stems only from a State's *statutory* scheme-from a restraining order that was authorized by and tracked precisely the statute on which the Court of Appeals relied. She does not assert that she has any common-law or contractual entitlement to enforcement. If she was given a statutory entitlement, we would expect to see some indication of that in the statute itself. Although Colorado's statute spoke of "protected person[s]" such as respondent, it did so in connection with matters other than a right to enforcement. It said that a "protected person shall be ****2809** provided with a copy of [a restraining] order" when it is issued, § 18-6-803.5(3)(a); that a law enforcement agency "shall make all reasonable efforts to contact the protected party upon the arrest of the restrained person," § 18-6-803.5(3)(d); and that the agency "shall give [to the protected ***766** person] a copy" of the report it submits to the court that issued the order, § 18-6-803.5(3)(e). Perhaps most importantly, the statute spoke directly to the protected person's power to "initiate contempt proceedings against the restrained person if the order [was] issued in a civil action or request the prosecuting attorney to initiate contempt proceedings if the order [was] issued in a criminal action." § 18-6-803.5(7). The protected person's express power to "initiate" civil contempt proceedings contrasts tellingly with the mere ability to "request" initiation of criminal contempt proceedings-and even more dramatically with the complete silence about any power to "request" (much less demand) that an arrest be made.

The creation of a personal entitlement to something as vague and novel as enforcement of restraining orders cannot "simply g[o] without saying." *Post*, at 2821, n. 16 (STEVENS, J., dissenting). We conclude that Colorado has not created such an entitlement.

C

[10] Even if we were to think otherwise concerning the creation of an entitlement by Colorado, it is by no means clear that an individual entitlement to enforcement of a restraining order could constitute a "property" interest for purposes of the Due Process Clause. Such a right would not, of course, resemble any traditional conception of property. Although that alone does not disqualify it from due process protection, as *Roth* and its progeny show, the right to have a restraining order enforced does not "have some ascertainable monetary value," as even our "*Roth*-type property-as-entitlement" cases have implicitly required. Merrill, The Landscape of Constitutional Property, 86 Va. L.Rev. 885, 964 (2000). [12] Perhaps most radically, the alleged property ***767** interest here arises *incidentally*, not out of some new species of government benefit or service, but out of a function that government actors have always performed-to wit, arresting people who they have probable cause to believe have committed a criminal offense. [13]

****2810** **[11]** The indirect nature of a benefit was fatal to the due process claim of the nursing-home residents in *O'Bannon v. Town Court Nursing Center*, 447 U.S. 773, 100 S.Ct. 2467, 65 L.Ed.2d 506 (1980). We held that, while the withdrawal of "direct benefits" (financial payments under Medicaid for certain medical services) triggered due process protections, *id.*, at 786-787, 100 S.Ct. 2467, the same was not true for the "indirect benefit[s]" conferred on Medicaid patients when the Government enforced "minimum standards of care" for nursing-home facilities, *id.*, at 787, 100 S.Ct. 2467. "[A]n indirect and incidental result of the Government's enforcement action ... does not amount to a deprivation of any interest in life, liberty, or property." *Ibid.* In this case, as in *O'Bannon*, "[t]he simple distinction between government action that directly affects a citizen's legal rights ... and action that is directed against a third party and affects the citizen only indirectly or incidentally, provides a sufficient answer to" respondent's reliance on cases that found government-provided ***768** services to be entitlements. *Id.*, at 788, 100 S.Ct. 2467. The *O'Bannon* Court expressly noted, *ibid.*, that the distinction between direct and indirect benefits distinguished *Memphis Light, Gas & Water Div. v. Craft*, 436 U.S. 1, 98 S.Ct. 1554, 56 L.Ed.2d 30 (1978), one of the government-services cases on which the dissent relies, *post*, at 2822.

III

We conclude, therefore, that respondent did not, for purposes of the Due Process Clause, have a property interest in police enforcement of the restraining order against her husband. It is accordingly unnecessary to address the Court of Appeals' determination (366 F.3d, at 1110-1117) that the town's custom or policy prevented the police from giving her due process when they deprived her of that alleged interest. See *American Mfrs. Mut. Ins. Co. v. Sullivan*, 526 U.S. 40, 61, 119 S.Ct. 977, 143 L.Ed.2d 130 (1999). [14]

[12] In light of today's decision and that in *DeShaney*, the benefit that a third party may receive from having someone else arrested for a crime generally does not trigger protections under the Due Process Clause, neither in its procedural nor in its "substantive" manifestations. This result reflects our continuing reluctance to treat the Fourteenth Amendment as " 'a font of tort law,' " *Parratt v. Taylor*, 451 U.S. 527, 544, 101 S.Ct. 1908, 68 L.Ed.2d 420 (1981) (quoting *Paul v. Davis*, 424 U.S., at 701, 96 S.Ct. 1155), but it does not mean States are powerless to provide victims with personally enforceable remedies. Although the framers of the Fourteenth Amendment and the Civil Rights Act of 1871, 17 Stat. 13 (the original source of § 1983), did not create a system by which police departments are generally held financially accountable for crimes that better policing might have ***769** prevented, the people of Colorado are free to craft such a system under state law. Cf. *DeShaney*, 489 U.S., at 203, 109 S.Ct. 998. [15]

****2811** The judgment of the Court of Appeals is

Reversed.

Justice SOUTER, with whom Justice BREYER joins, concurring.

I agree with the Court that Jessica Gonzales has shown no violation of an interest protected by the Fourteenth Amendment's Due Process Clause, and I join the Court's opinion. The Court emphasizes the traditional public focus of law enforcement as reason to doubt that these particular legal requirements to provide police services, however unconditional their form, presuppose enforceable individual rights to a certain level of police protection. *Ante*, at 2808. The ***770** Court also notes that the terms of the Colorado statute involved here recognize and preserve the

traditional discretion afforded law enforcement officers. *Ante*, at 2805-2808, and n. 8. Gonzales's claim of a property right thus runs up against police discretion in the face of an individual demand to enforce, and discretion to ignore an individual instruction not to enforce (because, say, of a domestic reconciliation); no one would argue that the beneficiary of a Colorado order like the one here would be authorized to control a court's contempt power or order the police to refrain from arresting. These considerations argue against inferring any guarantee of a level of protection or safety that could be understood as the object of a "legitimate claim of entitlement," *Board of Regents of State Colleges v. Roth*, 408 U.S. 564, 577, 92 S.Ct. 2701, 33 L.Ed.2d 548 (1972), in the nature of property arising under Colorado law.[*] Consequently, the classic predicate for federal due process protection of interests under state law is missing.

Gonzales implicitly recognizes this, when she makes the following argument:

> "Ms. Gonzales alleges that ... she was denied the process laid out in the statute. The police did not consider her request in a timely fashion, but instead repeatedly required her to call the station over several hours. The statute promised a process by which her restraining order would be given vitality through careful and prompt consideration of an enforcement request .... Denial of that process drained all of the value from her property interest in the restraining order." Brief for Respondent 10.

The argument is unconventional because the state-law benefit for which it claims federal procedural protection is itself a variety of procedural regulation, a set of rules to be followed by officers exercising the State's executive power: use ***771** all reasonable means to enforce, arrest upon demonstrable probable cause, get a warrant, and so on, see *ante*, at 2800-2801.

When her argument is understood as unconventional in this sense, a further reason ****2812** appears for rejecting its call to apply *Roth*, a reason that would apply even if the statutory mandates to the police were absolute, leaving the police with no discretion when the beneficiary of a protective order insists upon its enforcement. The Due Process Clause extends procedural protection to guard against unfair deprivation by state officials of substantive state-law property rights or entitlements; the federal process protects the property created by state law. But Gonzales claims a property interest in a state-mandated process in and of itself. This argument is at odds with the rule that "[p]rocess is not an end in itself. Its constitutional purpose is to protect a substantive interest to which the individual has a legitimate claim of entitlement." *Olim v. Wakinekona*, 461 U.S. 238, 250, 103 S.Ct. 1741, 75 L.Ed.2d 813 (1983); see also *Doe v. District of Columbia*, 93 F.3d 861, 868 (C.A.D.C.1996) *(per curiam); Doe v. Milwaukee County*, 903 F.2d 499, 502-503 (C.A.7 1990). In putting to rest the notion that the scope of an otherwise discernible property interest could be limited by related state-law procedures, this Court observed that "[t]he categories of substance and procedure are distinct .... 'Property' cannot be defined by the procedures provided for its deprivation." *Cleveland Bd. of Ed. v. Loudermill*, 470 U.S. 532, 541, 105 S.Ct. 1487, 84 L.Ed.2d 494 (1985). Just as a State cannot diminish a property right, once conferred, by attaching less than generous procedure to its deprivation, *ibid.*, neither does a State create a property right merely by ordaining beneficial procedure unconnected to some articulable substantive guarantee. This is not to say that state rules of executive procedure may not provide significant reasons to infer an articulable property right meant to be protected; but it is to say that we have not identified property ***772** with procedure as such. State rules of executive procedure, however important, may be nothing more than rules of executive procedure.

Thus, in every instance of property recognized by this Court as calling for federal procedural protection, the property has been distinguishable from the procedural obligations imposed on state officials to protect it. Whether welfare benefits, *Goldberg v. Kelly*, 397 U.S. 254, 90 S.Ct. 1011, 25 L.Ed.2d 287 (1970), attendance at public schools, *Goss v. Lopez*, 419 U.S. 565, 95 S.Ct. 729, 42 L.Ed.2d 725 (1975), utility services, *Memphis Light, Gas & Water Div. v. Craft*, 436 U.S. 1, 98 S.Ct. 1554, 56 L.Ed.2d 30 (1978), public employment, *Perry v. Sindermann*, 408 U.S. 593, 92 S.Ct. 2694, 33 L.Ed.2d 570 (1972), professional licenses, *Barry v. Barchi*, 443 U.S. 55, 99 S.Ct. 2642, 61 L.Ed.2d 365 (1979), and so on, the property interest recognized in our cases has always existed apart from state procedural protection before the Court has recognized a constitutional claim to protection by federal process. To accede to Gonzales's argument would therefore work a sea change in the scope of federal due process, for she seeks federal process as a substitute simply for state process. (And she seeks damages under Rev. Stat. § 1979, 42 U.S.C. § 1983, for denial of process to which she claimed a federal right.) There is no articulable distinction between the object of Gonzales's asserted entitlement and the process she desires in order to protect her entitlement; both amount to certain steps to be taken by the police to protect her family and herself.

Gonzales's claim would thus take us beyond *Roth* or any other recognized theory of Fourteenth Amendment due process, by collapsing the distinction between property protected and the process that protects it, and would federalize every mandatory state-law direction to executive officers whose performance on the job can ****2813** be vitally significant to individuals affected.

The procedural directions involved here are just that. They presuppose no enforceable substantive entitlement, and *Roth* does not raise them to federally enforceable status in the name of due process.

***773** Justice STEVENS, with whom Justice GINSBURG joins, dissenting.

The issue presented to us is much narrower than is suggested by the far-ranging arguments of the parties and their *amici*. Neither the tragic facts of the case, nor the importance of according proper deference to law enforcement professionals, should divert our attention from that issue. That issue is whether the restraining order entered by the Colorado trial court on June 4, 1999, created a "property" interest that is protected from arbitrary deprivation by the Due Process Clause of the Fourteenth Amendment.

It is perfectly clear, on the one hand, that neither the Federal Constitution itself, nor any federal statute, granted respondent or her children any individual entitlement to police protection. See *DeShaney v. Winnebago County Dept. of Social Servs.*, 489 U.S. 189, 109 S.Ct. 998, 103 L.Ed.2d 249 (1989). Nor, I assume, does any Colorado statute create any such entitlement for the ordinary citizen. On the other hand, it is equally clear that federal law imposes no impediment to the creation of such an entitlement by Colorado law. Respondent certainly could have entered into a contract with a private security firm, obligating the firm to provide protection to respondent's family; respondent's interest in such a contract would unquestionably constitute "property" within the meaning of the Due Process Clause. If a Colorado statute enacted for her benefit, or a valid order entered by a Colorado judge, created the functional equivalent of such a private contract by granting respondent an entitlement to mandatory individual protection by the local police force, that state-created right would also qualify as "property" entitled to constitutional protection.

I do not understand the majority to rule out the foregoing propositions, although it does express doubts. See *ante*, at 2809 ("[I]t is by no means clear that an individual entitlement to enforcement of a restraining order could constitute a ***774** 'property' interest"). Moreover, the majority does not contest, see *ante*, at 2810, that if respondent did have a cognizable property interest in this case, the deprivation of that interest violated due process. As the Court notes, respondent has alleged that she presented the police with a copy of the restraining order issued by the Colorado court and requested that it be enforced. *Ante*, at 2800, n. 1. In response, she contends, the officers effectively ignored her. If these allegations are true, a federal statute, Rev. Stat. § 1979, 42 U.S.C. § 1983, provides her with a remedy against the petitioner, even if Colorado law does not. See *Cleveland Bd. of Ed. v. Loudermill*, 470 U.S. 532, 105 S.Ct. 1487, 84 L.Ed.2d 494 (1985).

The central question in this case is therefore whether, as a matter of Colorado law, respondent had a right to police assistance comparable to the right she would have possessed to any other service the government or a private firm might have undertaken to provide. See *Board of Regents of State Colleges v. Roth*, 408 U.S. 564, 577, 92 S.Ct. 2701, 33 L.Ed.2d 548 (1972) ("Property interests, of course, are not created by the Constitution. Rather, they are created and their dimensions are defined by existing rules or understandings that stem from an independent source such as state law-rules or understandings that secure certain benefits and that support ****2814** claims of entitlement to those benefits").

There was a time when our tradition of judicial restraint would have led this Court to defer to the judgment of more qualified tribunals in seeking the correct answer to that difficult question of Colorado law. Unfortunately, although the majority properly identifies the "central state-law question" in this case as "whether Colorado law gave respondent a right to police enforcement of the restraining order," *ante*, at 2804, it has chosen to ignore our settled practice by providing its *own* answer to that question. Before identifying the flaws in the Court's ruling on the merits, I shall briefly comment on our past practice.

***775 I**

The majority's decision to plunge ahead with its own analysis of Colorado law imprudently departs from this Court's longstanding policy of paying "deference [to] the views of a federal court as to the law of a State within its jurisdiction." *Phillips v. Washington Legal Foundation*, 524 U.S. 156, 167,

118 S.Ct. 1925, 141 L.Ed.2d 174 (1998); see also *Bishop v. Wood*, 426 U.S. 341, 346, and n. 10, 96 S.Ct. 2074, 48 L.Ed.2d 684 (1976) (collecting cases). This policy is not only efficient, but it reflects "our belief that district courts and courts of appeals are better schooled in and more able to interpret the laws of their respective States." *Brockett v. Spokane Arcades, Inc.*, 472 U.S. 491, 500-501, 105 S.Ct. 2794, 86 L.Ed.2d 394 (1985); *Hillsborough v. Cromwell*, 326 U.S. 620, 629-630, 66 S.Ct. 445, 90 L.Ed. 358 (1946) (endorsing "great deference to the views of the judges of those courts 'who are familiar with the intricacies and trends of local law and practice' "). Accordingly, we have declined to show deference only in rare cases in which the court of appeals' resolution of state law was "clearly wrong" or otherwise seriously deficient. See *Brockett*, 472 U.S., at 500, n. 9, 105 S.Ct. 2794; accord, *Leavitt v. Jane L.*, 518 U.S. 137, 145, 116 S.Ct. 2068, 135 L.Ed.2d 443 (1996) *(per curiam).*

Unfortunately, the Court does not even attempt to demonstrate that the six-judge en banc majority was "clearly wrong" in its interpretation of Colorado's domestic restraining order statute; nor could such a showing be made. For it is certainly *plausible* to construe "*shall* use every reasonable means to enforce a restraining order" and "*shall* arrest," Colo.Rev.Stat. §§ 18-6-803.5(3)(a)-(b) (Lexis 1999) (emphasis added), as conveying mandatory directives to the police, particularly when the same statute, at other times, tellingly employs different language that suggests police discretion, see § 18-6-803.5(6)(a) ("A peace officer *is authorized to* use every reasonable means to protect ... "; "Such peace officer *may* transport ... " (emphasis added)). [1] Moreover, unlike ***776** today's decision, the Court of Appeals was attentive to the legislative history of the statute, focusing on a statement by the statute's sponsor in the Colorado House, *ante*, at 2805, n. 6 (quoting statement), which it took to "emphasiz[e] the importance of the police's mandatory enforcement of domestic restraining orders." 366 F.3d 1093, 1107 (C.A.10 2004) (en banc). Far from overlooking the traditional presumption of police discretion, then, the Court of Appeals' diligent analysis of the statute's text, purpose, and history led it to conclude that ****2815** the Colorado Legislature intended precisely to abrogate that presumption in the specific context of domestic restraining orders. That conclusion is eminently reasonable and, I believe, worthy of our deference. [2]

II

Even if the Court had good reason to doubt the Court of Appeals' determination of state law, it would, in my judgment, be a far wiser course to certify the question to the ***777** Colorado Supreme Court. [3] Powerful considerations support certification in this case. First, principles of federalism and comity favor giving a State's high court the opportunity to answer important questions of state law, particularly when those questions implicate uniquely local matters such as law enforcement and might well require the weighing of policy considerations for their correct resolution. [4] See *Elkins v. Moreno*, 435 U.S. 647, 662, n. 16, 98 S.Ct. 1338, 55 L.Ed.2d 614 (1978) (*sua sponte* certifying a question of state law because it is "one in which state governments have the highest interest"); cf. *Arizonans for Official English v. Arizona*, 520 U.S. 43, 77, 117 S.Ct. 1055, 137 L.Ed.2d 170 (1997) ("Through certification of novel or unsettled questions of state law for authoritative answers by a State's highest court, a federal court may save 'time, energy, and resources, and hel[p] build a cooperative judicial federalism' " (brackets in original)). [5] ***778** Second, by certifying ****2816** a potentially dispositive state-law issue, the Court would adhere to its wise policy of avoiding the unnecessary adjudication of difficult questions of constitutional law. See *Elkins*, 435 U.S., at 661-662, 98 S.Ct. 1338 (citing constitutional avoidance as a factor supporting certification). Third, certification would promote both judicial economy and fairness to the parties. After all, the Colorado Supreme Court is the ultimate authority on the meaning of Colorado law, and if in later litigation it should disagree with this Court's provisional state-law holding, our efforts will have been wasted and respondent will have been deprived of the opportunity to have her claims heard under the authoritative view of Colorado law. The unique facts of this case only serve to emphasize the importance of employing a procedure that will provide the correct answer to the central question of state law. See *Brockett*, 472 U.S., at 510, 105 S.Ct. 2794 (O'CONNOR, J., concurring) ("Speculation by a federal court about the meaning of a state statute in the absence of a prior state court adjudication is particularly gratuitous when, as is the case here, the state courts stand willing to address questions of state law on certification from a federal court"). [6]

***779 III**

Three flaws in the Court's rather superficial analysis of the merits highlight the unwisdom of its decision to answer the state-law question *de novo*. First, the Court places undue

weight on the various statutes throughout the country that seemingly mandate police enforcement but are generally understood to preserve police discretion. As a result, the Court gives short shrift to the unique case of "mandatory arrest" statutes in the domestic violence context; States passed a wave of these statutes in the 1980's and 1990's with the unmistakable goal of eliminating police discretion in this area. Second, the Court's formalistic analysis fails to take seriously the fact that the Colorado statute at issue in this case was enacted for the benefit of the narrow class of persons who are beneficiaries of domestic restraining orders, and that the order at issue in this case was specifically intended to provide protection to respondent and her children. Finally, the Court is simply wrong to assert that a citizen's interest in the government's commitment to provide police enforcement in certain defined circumstances does not resemble any "traditional conception of property," *ante*, at 2809; in fact, a citizen's property interest in such a commitment is just as concrete and worthy of protection as her interest in any other important service the government or a private firm has undertaken to provide.

****2817** In 1994, the Colorado General Assembly passed omnibus legislation targeting domestic violence. The part of the legislation at issue in this case mandates enforcement of a domestic restraining order upon probable cause of a violation, § 18-6-803.5(3), while another part directs that police officers "shall, without undue delay, arrest" a suspect upon "probable cause to believe that a crime or offense of domestic violence ***780** has been committed," § 18-6-803.6(1).[7] In adopting this legislation, the Colorado General Assembly joined a nationwide movement of States that took aim at the crisis of police underenforcement in the domestic violence sphere by implementing "mandatory arrest" statutes. The crisis of underenforcement had various causes, not least of which was the perception by police departments and police officers that domestic violence was a private, "family" matter and that arrest was to be used as a last resort. Sack, Battered Women and the State: The Struggle for the Future of Domestic Violence Policy, 2004 Wis. L.Rev. 1657, 1662-1663 (hereinafter Sack); *id.*, at 1663 ("Because these cases were considered noncriminal, police assigned domestic violence calls low priority and often did not respond to them for several hours or ignored them altogether"). In response to these realities, and emboldened by a well-known 1984 experiment by the Minneapolis police department,[8] "many states enacted mandatory ***781** arrest statutes under which a police officer must arrest an abuser when the officer has probable cause to believe that a domestic assault has occurred or that a protection order has been violated." Developments in the Law: Legal Responses to Domestic Violence, 106 Harv. L.Rev. 1498, 1537 (1993). The purpose of these statutes was precisely to "counter police resistance to arrests in domestic violence cases by removing or restricting police officer discretion; mandatory arrest policies would increase police response and reduce batterer recidivism." Sack 1670.

Thus, when Colorado passed its statute in 1994, it joined the ranks of 15 States ****2818** that mandated arrest for domestic violence offenses and 19 States that mandated arrest for domestic restraining order violations. See Developments in the Law, 106 Harv. L.Rev., at 1537, n. 68 (noting statutes in 1993); N. Miller, Institute for Law and Justice, A Law Enforcement and Prosecution Perspective 7, and n. 74, 8, and n. 90 (2003), http://www.ilj. org/dv/dvvawa2000.htm (as visited June 24, 2005, and available in Clerk of Court's case file) (listing Colorado among the many States that currently have mandatory arrest statutes).[9]

Given the specific purpose of these statutes, there can be no doubt that the Colorado Legislature used the term "shall" advisedly in its domestic restraining order statute. While ***782** "shall" is probably best read to mean "may" in other Colorado statutes that seemingly mandate enforcement, cf. Colo.Rev.Stat. § 31-4-112 (Lexis 2004) (police "*shall suppress* all riots, disturbances, and breaches of the peace, *shall apprehend* all disorderly persons in the city ..." (emphases added)), it is clear that the elimination of police discretion was integral to Colorado and its fellow States' solution to the problem of underenforcement in domestic violence cases.[10] Since the text of Colorado's statute perfectly captures this legislative purpose, it is hard to imagine what the Court has in mind when it insists on "some stronger indication from the Colorado Legislature." *Ante*, at 2806.

While Colorado case law does not speak to the question, it is instructive that other state courts interpreting their analogous statutes have not only held that they eliminate the police's traditional discretion to refuse enforcement, but have ***783** also recognized that they create rights enforceable against the police under state law. For example, in *Nearing v. Weaver*, 295 Or. 702, 670 P.2d 137 (1983) (en banc), the court held that although the common law of negligence did not support a suit against the police for failing to enforce a domestic restraining order, the statute's mandatory directive formed the basis for the suit because it was "a specific duty imposed

by statute for the benefit of individuals previously **2819 identified by judicial order." *Id.*, at 707, 670 P.2d, at 140. [11] In *Matthews v. Pickett County*, 996 S.W.2d 162 (Tenn.1999) (on certification to the Sixth Circuit), the court confirmed that the statute mandated arrest for violations of domestic restraining orders, and it held that the "public duty" defense to a negligence action was unavailable to the defendant police officers because the restraining order had created a "special duty" to protect the plaintiff. *Id.*, at 165. See also *Campbell v. Campbell*, 294 N.J.Super. 18, 24, 682 A.2d 272, 274 (1996) (domestic restraining order statute "allows no discretion" with regard to arrest; "[t]he duty imposed on the police officer is ministerial"); *Donaldson v. Seattle*, 65 Wash.App. 661, 670, 831 P.2d 1098, 1103 (1992) ("Generally, where an officer has legal grounds to make an arrest he has considerable discretion to do so. In regard to domestic violence, the rule is the reverse. If the officer has the legal grounds to arrest pursuant to the statute, he has a mandatory duty to make the arrest"). To what extent the Colorado Supreme Court would agree with the views of these courts is, of course, an open question, but it does seem rather brazen for the majority to assume that the Colorado Supreme Court *784 would repudiate this consistent line of persuasive authority from other States.

Indeed, the Court fails to come to terms with the wave of domestic violence statutes that provides the crucial context for understanding Colorado's law. The Court concedes that, "in the specific context of domestic violence, mandatory-arrest statutes have been found in some States to be more mandatory than traditional mandatory-arrest statutes," *ante*, at 2806-2807, but that is a serious understatement. The difference is not a matter of degree, but of kind. Before this wave of statutes, the legal rule was one of discretion; as the Court shows, the "traditional," general mandatory arrest statutes have always been understood to be "mandatory" in name only, see *ante*, at 2805-2806. The innovation of the domestic violence statutes was to make police enforcement, not "more mandatory," but simply *mandatory*. If, as the Court says, the existence of a protected "entitlement" turns on whether "government officials may grant or deny it in their discretion," *ante*, at 2803, the new mandatory statutes undeniably create an entitlement to police enforcement of restraining orders.

Perhaps recognizing this point, the Court glosses over the dispositive question-whether the police enjoyed discretion to deny enforcement-and focuses on a different question-which "precise means of enforcement," *ante*, at 2807, were called for in this case. But that question is a red herring. The statute directs that, upon probable cause of a violation, "a peace officer shall arrest, or, if an arrest would be impractical under the circumstances, seek a warrant for the arrest of a restrained person." Colo.Rev.Stat. § 18-6-803.5(3)(b) (Lexis 1999). Regardless of whether the enforcement called for in this case was arrest or the seeking of an arrest warrant (the answer to that question probably changed over the course of the night as the respondent gave the police more information about the husband's whereabouts), the crucial point is that, under the statute, the police were *required* to provide enforcement; *they lacked the discre* **2820 *tion to do nothing.* *785 [12] The Court suggests that the fact that "enforcement" may encompass different acts infects any entitlement to enforcement with "indeterminacy." *Ante*, at 2807. But this objection is also unfounded. Our cases have never required the object of an entitlement to be some mechanistic, unitary thing. Suppose a State entitled every citizen whose income was under a certain level to receive health care at a state clinic. The provision of health care is not a unitary thing-doctors and administrators must decide what tests are called for and what procedures are required, and these decisions often involve difficult applications of judgment. But it could not credibly be said that a citizen lacks an entitlement to health care simply because the content of that entitlement is not the same in every given situation. Similarly, the enforcement of a restraining order is not some amorphous, indeterminate thing. Under the statute, if the police have probable cause that a violation has occurred, enforcement consists of either making an immediate arrest or seeking a warrant and then executing an arrest-traditional, well-defined tasks that law enforcement officers perform every day. [13]

**2821 *786 The Court similarly errs in speculating that the Colorado Legislature may have mandated police enforcement of restraining orders for "various legitimate ends other than the conferral of a benefit on a specific class of people," *ante*, at 2808; see also *ibid.* (noting that the "serving of public rather than private ends is the normal course of the criminal law"). While the Court's concern would have some bite were we *787 faced with a broadly drawn statute directing, for example, that the police "*shall suppress* all riots," there is little doubt that the statute at issue in this case conferred a benefit "on a specific class of people"-namely, recipients of domestic restraining orders. Here, respondent applied for and was granted a restraining order from a Colorado trial judge, who found a risk of "irreparable injury" and found that "physical or emotional harm" would result if the husband were not excluded from the family home. 366

F.3d, at 1143 (appendix to dissent of O'Brien, J.). As noted earlier, the restraining order required that the husband not "molest or disturb" the peace of respondent and the daughters, and it ordered (with limited exceptions) that the husband stay at least 100 yards away from the family home. *Ibid.* [14] It also directed the police to "use every reasonable means to enforce this ... order," and to arrest or seek a warrant upon probable cause of a violation. *Id.*, at 1144. Under the terms of the statute, when the order issued, respondent and her daughters became " 'protected person[s].' " § 18-6-803.5(1.5)(a) (" 'Protected person' means the person or persons identified in the restraining order as the person or persons for whose benefit the restraining order was issued"). [15] The statute criminalized the knowing violation of the restraining order, § 18-6-803.5(1), and, as already discussed, the statute (as ***788** well as the order itself) mandated police enforcement, §§ 18-6-803.5(3)(a)-(b). [16]

****2822** Because the statute's guarantee of police enforcement is triggered by, and operates only in reference to, a judge's granting of a restraining order in favor of an identified " 'protected person,' " there is simply no room to suggest that such a person has received merely an " 'incidental' " or " 'indirect' " benefit, see *ante*, at 2810. As one state court put it, domestic restraining order statutes "identify with precision when, to whom, and under what circumstances police protection must be afforded. The legislative purpose in requiring the police to enforce individual restraining orders clearly is to protect the named persons for whose protection the order is issued, not to protect the community at large by general law enforcement activity." *Nearing*, 295 Or., at 712, 670 P.2d, at 143. [17] Not only does the Court's doubt about ***789** whether Colorado's statute created an entitlement in a protected person fail to take seriously the purpose and nature of restraining orders, but it fails to account for the decisions by other state courts, see *supra*, at 2818-2819, that recognize that such statutes and restraining orders create individual rights to police action.

IV

Given that Colorado law has quite clearly eliminated the police's discretion to deny enforcement, respondent is correct that she had much more than a "unilateral expectation" that the restraining order would be enforced; rather, she had a "legitimate claim of entitlement" to enforcement. *Roth*, 408 U.S., at 577, 92 S.Ct. 2701. Recognizing respondent's property interest in the enforcement of her restraining order is fully consistent with our precedent. This Court has "made clear that the property interests protected by procedural due process extend well beyond actual ownership of real estate, chattels, or money." *Id.*, at 571-572, 92 S.Ct. 2701. The "types of interests protected as 'property' are varied and, as often as not, intangible, relating 'to the whole domain of social and economic fact.' " *Logan v. Zimmerman Brush Co.*, 455 U.S. 422, 430, 102 S.Ct. 1148, 71 L.Ed.2d 265 (1982); see also *Perry v. Sindermann*, 408 U.S. 593, 601, 92 S.Ct. 2694, 33 L.Ed.2d 570 (1972) (" '[P]roperty' interests subject to procedural due process protection are not limited by a few rigid, technical forms. Rather, 'property' denotes a broad range of interests that are secured by 'existing rules or understandings' "). Thus, our cases have found "property" interests in a number of state-conferred benefits and services, including welfare benefits, *Goldberg v. Kelly*, 397 U.S. 254, 90 S.Ct. 1011, 25 L.Ed.2d 287 (1970); disability benefits, *Mathews v. Eldridge*, 424 U.S. 319, 96 S.Ct. 893, 47 L.Ed.2d 18 (1976); public education, *Goss v. Lopez*, 419 U.S. 565, 95 S.Ct. 729, 42 L.Ed.2d 725 (1975); utility services, *Memphis Light, Gas & Water Div. v. Craft*, 436 U.S. 1, 98 S.Ct. 1554, 56 L.Ed.2d 30 (1978); government employment, *Cleveland Bd. of Ed. v.* ***790** *Loudermill*, 470 U.S. 532, 105 S.Ct. 1487, 84 L.Ed.2d 494 (1985), as well as in other entitlements that defy easy categorization, see, *e.g.*, ****2823** *Bell v. Burson*, 402 U.S. 535, 91 S.Ct. 1586, 29 L.Ed.2d 90 (1971) (due process requires fair procedures before a driver's license may be revoked pending the adjudication of an accident claim); *Logan*, 455 U.S., at 431, 102 S.Ct. 1148 (due process prohibits the arbitrary denial of a person's interest in adjudicating a claim before a state commission).

Police enforcement of a restraining order is a government service that is no less concrete and no less valuable than other government services, such as education. [18] The relative novelty of recognizing this type of property interest is explained by the relative novelty of the domestic violence statutes creating a mandatory arrest duty; before this innovation, the unfettered discretion that characterized police enforcement defeated any citizen's "legitimate claim of entitlement" to this service. Novel or not, respondent's claim finds strong support in the principles that underlie our due process jurisprudence. In this case, Colorado law *guaranteed* the provision of a certain service, in certain defined circumstances, to a certain class of beneficiaries, and respondent reasonably relied on that guarantee. As we observed in *Roth*, "[i]t is a purpose of the ancient institution of property to protect those claims upon which people rely

in their daily lives, reliance that must not be arbitrarily undermined." ***791** 408 U.S., at 577, 92 S.Ct. 2701. Surely, if respondent had contracted with a private security firm to provide her and her daughters with protection from her husband, it would be apparent that she possessed a property interest in such a contract. Here, Colorado undertook a comparable obligation, and respondent-with restraining order in hand-justifiably relied on that undertaking. Respondent's claim of entitlement to this promised service is no less legitimate than the other claims our cases have upheld, and no less concrete than a hypothetical agreement with a private firm. [19] The ****2824** fact that it is based on a statutory enactment and a judicial order entered for her special protection, rather than on a formal contract, does not provide a principled basis for refusing to consider it "property" worthy of constitutional protection. [20]

***792 V**

Because respondent had a property interest in the enforcement of the restraining order, state officials could not deprive her of that interest without observing fair procedures. [21] Her description of the police behavior in this case and the department's callous policy of failing to respond properly to reports of restraining order violations clearly alleges ***793** a due process violation. At the very least, due process requires that the relevant state decisionmaker *listen* to the claimant and then *apply the relevant criteria* in reaching his decision. [22] The failure to observe these ****2825** minimal procedural safeguards creates an unacceptable risk of arbitrary and "erroneous deprivation[s]," *Mathews*, 424 U.S., at 335, 96 S.Ct. 893. According to respondent's complaint-which we must construe liberally at this early stage in the litigation, see *Swierkiewicz v. Sorema N. A.*, 534 U.S. 506, 514, 122 S.Ct. 992, 152 L.Ed.2d 1 (2002)-the process she was afforded by the police constituted nothing more than a " 'sham or a pretense.' " *Joint Anti-Fascist Refugee Comm. v. McGrath*, 341 U.S. 123, 164, 71 S.Ct. 624, 95 L.Ed. 817 (1951) (Frankfurter, J., concurring).

Accordingly, I respectfully dissent.

Parallel Citations

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Footnotes

* The syllabus constitutes no part of the opinion of the Court but has been prepared by the Reporter of Decisions for the convenience of the reader. See *United States v. Detroit Timber & Lumber Co.*, 200 U.S. 321, 337, 26 S.Ct. 282, 50 L.Ed. 499.

1 Petitioner claims that respondent's complaint "did not allege ... that she ever notified the police of her contention that [her husband] was actually in violation of the restraining order." Brief for Petitioner 7, n. 2. The complaint does allege, however, that respondent "showed [the police] a copy of the [temporary restraining order (TRO)] and requested that it be enforced." App. to Pet. for Cert. 126a. At this stage in the litigation, we may assume that this reasonably implied the order was being violated. See *Steel Co. v. Citizens for Better Environment*, 523 U.S. 83, 104, 118 S.Ct. 1003, 140 L.Ed.2d 210 (1998).

2 It is unclear from the complaint, but immaterial to our decision, whether respondent showed the police only the original "TRO" or also the permanent, modified restraining order that had superseded it on June 4.

3 Three police officers were also named as defendants in the complaint, but the Court of Appeals concluded that they were entitled to qualified immunity, 366 F.3d 1093, 1118 (C.A.10 2004) (en banc). Respondent did not file a cross-petition challenging that aspect of the judgment.

4 Most of the Colorado-law cases cited by the Court of Appeals appeared in footnotes declaring them to be irrelevant because they involved only substantive due process (366 F.3d, at 1100-1101, nn. 4-5), only statutes without restraining orders (*id.*, at 1101, n. 5), or Colorado's Government Immunity Act, which the Court of Appeals concluded applies "only to ... state tort law claims" (*id.*, at 1108-1109, n. 12). Our analysis is likewise unaffected by the Immunity Act or by the way that Colorado has dealt with substantive due process or cases that do not involve restraining orders.

5 In something of an anyone-but-us approach, the dissent simultaneously (and thus unpersuasively) contends not only that this Court should certify a question to the Colorado Supreme Court, *post*, at 2815-2816 (opinion of STEVENS, J.), but also that it should defer to the Tenth Circuit (which itself did not certify any such question), *post*, at 2814-2815. No party in this case has requested certification, even as an alternative disposition. See Tr. of Oral Arg. 56 (petitioner's counsel "disfavor[ing]" certification); *id.*, at 25-26 (counsel for the United States arguing against certification). At oral argument, in fact, respondent's counsel declined Justice STEVENS' invitation to request it. *Id.*, at 53.

6 The Court of Appeals quoted one lawmaker's description of how the bill " 'would really attack the domestic violence problems' ":

" '[T]he entire criminal justice system must act in a consistent manner, which does not now occur. The police must make probable cause arrests. The prosecutors must prosecute every case. Judges must apply appropriate sentences, and probation officers must monitor their probationers closely. And the offender needs to be sentenced to offender-specific therapy.

" '[T]he entire system must send the same message ... [that] violence is criminal. And so we hope that House Bill 1253 starts us down this road.' " 366 F.3d, at 1107 (quoting Tr. of Colorado House Judiciary Hearings on House Bill 1253, Feb. 15, 1994; emphasis deleted).

7 Under Colo.Rev.Stat. § 18-6-803.5(5) (Lexis 1999), "[a] peace officer arresting a person for violating a restraining order or otherwise enforcing a restraining order" was not to be held civilly or criminally liable unless he acted "in bad faith and with malice" or violated "rules adopted by the Colorado supreme court."

8 Respondent in fact concedes that an officer may "properly" decide not to enforce a restraining order when the officer deems "a technical violation" too "immaterial" to justify arrest. Respondent explains this as a determination that there is no probable cause. Brief for Respondent 28. We think, however, that a determination of no probable cause to believe a violation has occurred is quite different from a determination that the violation is too insignificant to pursue.

9 Respondent characterizes her entitlement in various ways. See Brief for Respondent 12 (" 'entitlement' to receive protective services"); *id.*, at 13 ("interest in police enforcement action"); *id.*, at 14 ("specific government benefit" consisting of "the government service of enforcing the objective terms of the court order protecting her and her children against her abusive husband"); *id.*, at 32 ("[T]he restraining order here mandated the arrest of Mr. Gonzales under specified circumstances, or at a minimum required the use of reasonable means to enforce the order").

10 See *post*, at 2813 ("entitlement to police protection"); *ibid.* ("entitlement to mandatory individual protection by the local police force"); *ibid.* ("a right to police assistance"); *post*, at 2816 ("a citizen's interest in the government's commitment to provide police enforcement in certain defined circumstances"); *post*, at 2822 ("respondent's property interest in the enforcement of her restraining order"); *post*, at 2823 (the "service" of "protection from her husband"); *post*, at 2824 ("interest in the enforcement of the restraining order").

11 The dissent asserts that the police would lack discretion in the execution of this warrant, *post*, at 2820, n. 12, but cites no statute mandating immediate execution. The general Colorado statute governing arrest provides that police "may arrest" when they possess a warrant "commanding" arrest. Colo.Rev.Stat. § 16-3-102(1) (Lexis 1999).

12 The dissent suggests that the interest in having a restraining order enforced does have an ascertainable monetary value, because one may "contract with a private security firm ... to provide protection" for one's family. *Post*, at 2813, 2823, and n. 19. That is, of course, not as precise as the analogy between public and private schooling that the dissent invokes. *Post*, at 2823-2824, n. 19. Respondent probably could have hired a private firm to guard her house, to prevent her husband from coming onto the property, and perhaps even to search for her husband after she discovered that her children were missing. Her alleged entitlement here, however, does not consist in an abstract right to "protection," but (according to the dissent) in enforcement of her restraining order through the arrest of her husband, or the seeking of a warrant for his arrest, after she gave the police probable cause to believe the restraining order had been violated. A private person would not have the power to arrest under those circumstances because the crime would not have occurred in his presence. Colo.Rev.Stat. § 16-3-201 (Lexis 1999). And, needless to say, a private person would not have the power to obtain an arrest warrant.

13 In other contexts, we have explained that "a private citizen lacks a judicially cognizable interest in the prosecution or nonprosecution of another." *Linda R.S. v. Richard D.*, 410 U.S. 614, 619, 93 S.Ct. 1146, 35 L.Ed.2d 536 (1973).

14 Because we simply do not address whether the process would have been adequate if respondent had had a property interest, the dissent is correct to note that we do not "contest" the point, *post*, at 2813. Of course we do not *accept* it either.

15 In Colorado, the general statutory immunity for government employees does not apply when "the act or omission causing ... injury was willful and wanton." Colo.Rev.Stat. § 24-10-118(2)(a) (Lexis 1999). Respondent's complaint does allege that the police officers' actions "were taken either willfully, recklessly or with such gross negligence as to indicate wanton disregard and deliberate indifference to" her civil rights. App. to Pet. for Cert. 128a.

The state cases cited by the dissent that afford a cause of action for police failure to enforce restraining orders, *post*, at 2818-2819, 2820-2821, n. 13, vindicate state common-law or statutory tort claims-not procedural due process claims under the Federal Constitution. See *Donaldson v. Seattle*, 65 Wash.App. 661, 831 P.2d 1098 (1992) (city could be liable under some circumstances for *per se* negligence in failing to meet statutory duty to arrest); *Matthews v. Pickett County*, 996 S.W.2d 162 (Tenn.1999) (county could be liable under Tennessee's Governmental Tort Liability Act where restraining order created a special duty); *Campbell v. Campbell*, 294 N.J.Super. 18, 682 A.2d 272 (1996) (rejecting four specific defenses under the New Jersey Tort Claims Act in negligence action against individual officers); *Sorichetti v. New York*, 65 N.Y.2d 461, 492 N.Y.S.2d 591, 482 N.E.2d 70 (1985) (city breached duty of care arising from special relationship between police and victim); *Nearing v. Weaver*, 295 Or. 702, 670 P.2d 137 (1983) (en banc) (statutory duty to individual plaintiffs arising independently of tort-law duty of care).

* Gonzales does not claim to have a protected liberty interest.

1 The Court of Appeals also looked to other provisions of the statute to inform its analysis. In particular, it reasoned that a provision that gave police officers qualified immunity in connection with their enforcement of restraining orders, see Colo.Rev.Stat. § 18-6-803.5(5) (Lexis 1999), supported the inference that the Colorado Legislature intended mandatory enforcement. See 366 F.3d 1093, 1108 (C.A.10 2004) (en banc).

2 The Court declines to show deference for the odd reason that, in its view, the Court of Appeals did not "draw upon a deep well of state-specific expertise," *ante,* at 2804, but rather examined the statute's text and legislative history and distinguished arguably relevant Colorado case law. See *ante,* at 2804, and n. 4. This rationale makes a mockery of our traditional practice, for it is precisely when there is no state law on point that the presumption that circuits have local expertise plays any useful role. When a circuit's resolution of a novel question of state law is grounded on a concededly complete review of all the pertinent state-law materials, that decision is entitled to deference. Additionally, it should be noted that this is not a case in which the Court of Appeals and the District Court disagreed on the relevant issue of state law; rather, those courts disagreed only over the extent to which a probable-cause determination requires the exercise of discretion. Compare 366 F.3d, at 1105-1110, with App. to Pet. for Cert. 122a (District Court opinion).

3 See Colo. Rule App. Proc. 21.1(a) (Colorado Supreme Court may answer questions of law certified to it by the Supreme Court of the United States or another federal court if those questions "may be determinative of the cause" and "as to which it appears to the certifying court there is no controlling precedent in the decisions of the [Colorado] Supreme Court").

4 See *Westminster v. Dogan Constr. Co.,* 930 P.2d 585, 590 (Colo.1997) (en banc) (in interpreting an ambiguous statute, the Colorado Supreme Court will consider legislative history and the "consequences of a particular construction"); *ibid.* (" 'Because we also presume that legislation is intended to have just and reasonable effects, we must construe statutes accordingly and apply them so as to ensure such results' "). Additionally, it is possible that the Colorado Supreme Court would have better access to (and greater facility with) relevant pieces of legislative history beyond those that we have before us. That court may also choose to give certain evidence of legislative intent greater weight than would be customary for this Court. See, *e.g.,* Brief for Peggy Kerns et al. as *Amici Curiae* (bill sponsor explaining the Colorado General Assembly's intent in passing the domestic restraining order statute).

5 Citing similar considerations, the Second Circuit certified questions of state law to the Connecticut Supreme Court when it was faced with a procedural due process claim involving a statute that arguably mandated the removal of children upon probable cause of child abuse. See *Sealed v. Sealed,* 332 F.3d 51 (C.A.2 2003). The Connecticut Supreme Court accepted certification and held that the provision was discretionary, not mandatory. See *Teresa T. v. Ragaglia,* 272 Conn. 734, 865 A.2d 428 (2005).

6 The Court is correct that I would take an "anyone-but-us approach," *ante,* at 2804, n. 5, to the question of *who* decides the issue of Colorado law in this case. Both options that I favor-deferring to the Circuit's interpretation or, barring that, certifying to the Colorado Supreme Court-recognize the comparative expertise of another tribunal on questions of state law. And both options offer their own efficiencies. By contrast, the Court's somewhat overconfident "only us" approach lacks any cogent justification. The fact that neither party requested certification certainly cannot be a sufficient reason for dismissing that option. As with abstention, the considerations that weigh in favor of certification-federal-state comity, constitutional avoidance, judicial efficiency, the desire to settle correctly a recurring issue of state law-transcend the interests of individual litigants, rendering it imprudent to cast them as gatekeepers to the procedure. See, *e.g.*, *Elkins v. Moreno,* 435 U.S. 647, 662, 98 S.Ct. 1338, 55 L.Ed.2d 614 (1978) (certifying state-law issue absent a request from the parties); *Aldrich v. Aldrich,* 375 U.S. 249, 84 S.Ct. 305, 11 L.Ed.2d 304 (1963) *(per curiam)* (same); see also 17A C. Wright, A. Miller, & E. Cooper, Federal Practice and Procedure § 4248, p. 176 (2d ed. 1988) ("Ordinarily a court will order certification on its own motion").

7 See Fuller & Stansberry, 1994 Legislature Strengthens Domestic Violence Protective Orders, 23 Colo. Lawyer 2327 (1994) ("The 1994 Colorado legislative session produced several significant domestic abuse bills that strengthened both civil and criminal restraining order laws and procedures for victims of domestic violence"); *id.,* at 2329 ("Although many law enforcement jurisdictions already take a proactive approach to domestic violence, arrest and procedural policies vary greatly from one jurisdiction to another. H.B. 94-1253 mandates the arrest of domestic violence perpetrators and restraining order violaters. H.B. 94-1090 repeals the requirement that protected parties show a copy of their restraining order to enforcing officers. In the past, failure to provide a copy of the restraining order has led to hesitation from police to enforce the order for fear of an illegal arrest. The new statute also shields arresting officers from liability; this is expected to reduce concerns about enforcing the mandatory arrest requirements" (footnotes omitted)).

8 See Sack 1669 ("The movement to strengthen arrest policies was bolstered in 1984 by the publication of the results of a study on mandatory arrest in domestic violence cases that had been conducted in Minneapolis. In this study, police handled randomly assigned domestic violence offenders by using one of three different responses: arresting the offender, mediating the dispute or requiring the offender to leave the house for eight hours. The study concluded that in comparison with the other two responses, arrest had a significantly greater impact on reducing domestic violence recidivism. The findings from the Minneapolis study were used by the U.S. Attorney General in a report issued in 1984 that recommended, among other things, arrest in domestic violence cases as the

standard law enforcement response" (footnotes omitted)); see also Zorza, The Criminal Law of Misdemeanor Domestic Violence, 1970-1990, 83 J.Crim. L. & C. 46, 63-65 (1992) (tracing history of mandatory arrest laws and noting that the first such law was implemented by Oregon in 1977).

9 See also Brief for International Municipal Lawyers Association et al. as *Amici Curiae* 6 ("Colorado is not alone in mandating the arrest of persons who violate protective orders. Some 19 states require an arrest when a police officer has probable cause to believe that such orders have been violated" (collecting statutes)).

10 See Note, Mandatory Arrest: A Step Toward Eradicating Domestic Violence, But is It Enough? 1996 U. Ill. L.Rev. 533, 541-542, 544-546 (describing the problems that attend a discretionary arrest regime: "Even when probable cause is present, police officers still frequently try to calm the parties and act as mediators .... Three studies found the arrest rate to range between 3% and 10% when the decision to arrest is left to police discretion. Another study found that the police made arrests in only 13% of the cases where the victim had visible injuries .... Police officers often employ irrelevant criteria such as the 'reason' for the abuse or the severity of the victim's injuries in making their decision to arrest .... Some [officers] may feel strongly that police should not interfere in family arguments or lovers' quarrels. Such attitudes make police much more likely to investigate intent and provocation, and consider them as mitigating factors, in responding to domestic violence calls than in other types of cases" (footnotes omitted)); see also Walsh, The Mandatory Arrest Law: Police Reaction, 16 Pace L.Rev. 97, 98 (1995). Cf. Sack 1671-1672 ("Mandatory arrest policies have significantly increased the number of arrests of batterers for domestic violence crimes .... In New York City, from 1993, the time the mandatory arrest policy was instituted, to 1999, felony domestic violence arrests increased 33%, misdemeanor domestic violence arrests rose 114%, and arrests for violation of orders of protection were up 76%").

11 The Oregon Supreme Court noted that the "widespread refusal or failure of police officers to remove persons involved in episodes of domestic violence was presented to the legislature as the main reason for tightening the law so as to require enforcement of restraining orders by mandatory arrest and custody." *Nearing*, 295 Or., at 709, 670 P.2d, at 142.

12 Under the Court's reading of the statute, a police officer with probable cause is mandated to seek an arrest warrant if arrest is "impractical under the circumstances," but then enjoys unfettered discretion in deciding whether to *execute* that warrant. *Ante*, at 2807-2808. This is an unlikely reading given that the statute was motivated by a profound distrust of police discretion in the domestic violence context and motivated by a desire to improve the protection given to holders of domestic restraining orders. We do not have the benefit of an authoritative construction of Colorado law, but I would think that if an estranged husband harassed his wife in violation of a restraining order, and then absconded after she called the police, the statute would not only obligate the police to seek an arrest warrant, but also obligate them to execute it by making an arrest. In any event, under respondent's allegations, by the time the police were informed of the husband's whereabouts, an arrest was practical and, under the statute's terms, mandatory.

13 The Court wonders "how the mandatory-arrest paradigm applies to cases in which the offender is not present to be arrested." *Ante*, at 2807. Again, questions as to the *scope* of the obligation to provide enforcement are far afield from the key issue-whether there exists an entitlement to enforcement. In any event, the Court's speculations are off base. First, this is not a case like *Donaldson v. Seattle*, 65 Wash.App. 661, 831 P.2d 1098 (1992), in which the restrained person violated the order and then left the scene. Here, not only did the husband violate the restraining order by coming within 100 yards of the family home, but he continued to violate the order while his abduction of the daughters persisted. This is because the restraining order prohibited him from "molest[ing] or disturb[ing] the peace" of the daughters. See 366 F.3d, at 1143 (appendix to dissent of O'Brien, J.). Because the "scene" of the violation was wherever the husband was currently holding the daughters, this case does not implicate the question of an officer's duties to arrest a person who has left the scene and is no longer in violation of the restraining order. Second, to the extent that arresting the husband was initially "impractical under the circumstances" because his whereabouts were unknown, the Colorado statute (unlike some other States' statutes) expressly addressed that situation-it *required* the police to seek an arrest warrant. Third, the Court is wrong to suggest that this case falls outside the core situation that these types of statutes were meant to address. One of the well-known cases that contributed to the passage of these statutes involved facts similar to this case. See *Sorichetti v. New York City*, 65 N.Y.2d 461, 467, 492 N.Y.S.2d 591, 482 N.E.2d 70, 74 (1985) (police officers at police station essentially ignored a mother's pleas for enforcement of a restraining order against an estranged husband who made threats about their 6-year-old daughter; hours later, as the mother persisted in her pleas, the daughter was found mutilated, her father having attacked her with a fork and a knife and attempted to saw off her leg); Note, 1996 U. Ill. L.Rev., at 539 (noting *Sorichetti* in the development of mandatory arrest statutes); see also Sack 1663 (citing the police's failure to respond to domestic violence calls as an impetus behind mandatory arrest statutes). It would be singularly odd to suppose that in passing its sweeping omnibus domestic violence legislation, the Colorado Legislature did not mean to require enforcement in the case of an abduction of children in violation of a restraining order.

14 The order also stated: "If you violate this order thinking that the other party or child named in this order has given you permission, you are wrong, and can be arrested and prosecuted. The terms of this order cannot be changed by agreement of the other party or the child(ren). Only the court can change this order." 366 F.3d, at 1144 (appendix to dissent of O'Brien, J.).

15 A concern for the " 'protected person' " pervades the statute. For example, the statute provides that a "peace officer may transport, or obtain transportation for, the alleged victim to shelter. Upon the request of the protected person, the peace officer may also transport the minor child of the protected person, who is not an emancipated minor, to the same shelter ...." § 18-6-803.5(6)(a).

16 I find it neither surprising nor telling, cf. *ante*, at 2809, that the statute requires the restraining order to contain, "in capital letters and bold print," a "notice" informing protected persons that they can demand or request, respectively, civil and criminal contempt proceedings. § 18-6-803.5(7). While the legislature may have thought that these legal remedies were not popularly understood, a person's right to "demand" or "request" police enforcement of a restraining order simply goes without saying given the nature of the order and its language. Indeed, for a holder of a restraining order who has read the order's emphatic language, it would likely come as quite a shock to learn that she has no right to demand enforcement in the event of a violation. To suggest that a protected person has no such right would posit a lacuna between a protected person's rights and an officer's duties-a result that would be hard to reconcile with the Colorado Legislature's dual goals of putting an end to police indifference and empowering potential victims of domestic abuse.

17 See also *Matthews v. Pickett County*, 996 S.W.2d 162, 165 (Tenn.1999) ("The order of protection in this case was not issued for the public's protection in general. The order of protection specifically identified Ms. Matthews and was issued solely for the purpose of protecting her. *Cf. Ezell [v. Cockrell*, 902 S.W.2d 394, 403 (Tenn.1995)] (statute prohibiting drunk driving does not specify an individual but undertakes to protect the public in general from intoxicated drivers)"); *Sorichetti*, 65 N.Y.2d, at 469, 492 N.Y.S.2d 591, 482 N.E.2d, at 75 ("The [protective] order evinces a preincident legislative and judicial determination that its holder should be accorded a reasonable degree of protection from a particular individual").

18 The Court mistakenly relies on *O'Bannon v. Town Court Nursing Center*, 447 U.S. 773, 100 S.Ct. 2467, 65 L.Ed.2d 506 (1980), in explaining why it is "by no means clear that an individual entitlement to enforcement of a restraining order could constitute a 'property' interest for purposes of the Due Process Clause." *Ante*, at 2809. In *O'Bannon*, the question was essentially whether certain regulations provided nursing-home residents with an entitlement to continued residence in the home of their choice. 447 U.S., at 785, 100 S.Ct. 2467. The Court concluded that the regulations created no such entitlement, but there was no suggestion that Congress could not create one if it wanted to. In other words, *O'Bannon*did not address a situation in which the underlying law created an entitlement, but the Court nevertheless refused to treat that entitlement as a property interest within the meaning of the Due Process Clause.

19 As the analogy to a private security contract demonstrates, a person's interest in police enforcement has " 'some ascertainable monetary value,' " *ante*, at 2809. Cf. Merrill, The Landscape of Constitutional Property, 86 Va. L.Rev. 885, 964, n. 289 (2000) (remarking, with regard to the property interest recognized in *Goss v. Lopez*, 419 U.S. 565, 95 S.Ct. 729, 42 L.Ed.2d 725 (1975), that "any parent who has contemplated sending their children to private schools knows that public schooling has a monetary value"). And while the analogy to a private security contract need not be precise to be useful, I would point out that the Court is likely incorrect in stating that private security guards could not have arrested the husband under the circumstances, see *ante*, at 2809, n. 12. Because the husband's ongoing abduction of the daughters would constitute a knowing violation of the restraining order, see n. 13, *supra*, and therefore a crime under the statute, see § 18-6-803.5(1), a private person who was at the scene and aware of the circumstances of the abduction would have authority to arrest. See § 16-3-201 ("A person who is not a peace officer may arrest another person when any crime has been or is being committed by the arrested person in the presence of the person making the arrest"). Our cases, of course, have never recognized any requirement that a property interest possess " 'some ascertainable monetary value.' " Regardless, I would assume that respondent would have paid the police to arrest her husband if that had been possible; at the very least, the entitlement has a monetary value in that sense.

20 According to Justice SOUTER, respondent has asserted a property interest in merely a "state-mandated process," *ante*, at 2812 (concurring opinion), rather than in a state-mandated "substantive guarantee," *ibid.* This misunderstands respondent's claim. Putting aside the inartful passage of respondent's brief that Justice SOUTER relies upon, *ante*, at 2811, it is clear that respondent is in fact asserting a substantive interest in the "enforcement of the restraining order," Brief for Respondent 10. Enforcement of a restraining order is a tangible, substantive act. If an estranged husband violates a restraining order by abducting children, and the police succeed in enforcing the order, the person holding the restraining order has undeniably just received a substantive benefit. As in other procedural due process cases, respondent is arguing that the police officers failed to follow fair procedures in ascertaining whether the statutory criteria that trigger their obligation to provide enforcement-*i.e.*, an outstanding order plus probable cause that it is being violated-were satisfied in her case. Cf. *Carey v. Piphus*, 435 U.S. 247, 266-267, 98 S.Ct. 1042, 55 L.Ed.2d 252 (1978) (discussing analytic difference between the denial of fair process and the denial of the substantive benefit itself). It is Justice SOUTER, not respondent, who makes the mistake of "collapsing the distinction between property protected and the process that protects it," *ante*, at 2812.

Justice SOUTER also errs in suggesting that respondent cannot have a property interest in enforcement because she would not be authorized to instruct the police to refrain from enforcement in the event of a violation. *Ante*, at 2811. The right to insist on the provision of a service is separate from the right to refuse the service. For example, compulsory attendance laws deny minors the right to refuse to attend school. Nevertheless, we have recognized that minors have a property interest in public education and that school officials must therefore follow fair procedures when they seek to deprive minors of this valuable benefit through suspension.

See *Goss*, 419 U.S. 565, 95 S.Ct. 729. In the end, Justice SOUTER overlooks the core purpose of procedural due process-ensuring that a citizen's reasonable reliance is not frustrated by arbitrary government action.

21 See *Logan v. Zimmerman Brush Co.*, 455 U.S. 422, 432, 102 S.Ct. 1148, 71 L.Ed.2d 265 (1982) (" ' "While the legislature may elect not to confer a property interest, ... it may not constitutionally authorize the deprivation of such an interest, once conferred, without appropriate procedural safeguards" ' ").

22 See *Fuentes v. Shevin*, 407 U.S. 67, 81, 92 S.Ct. 1983, 32 L.Ed.2d 556 (1972) ("[W]hen a person has an opportunity to speak up in his own defense, and *when the State must listen to what he has to say*, substantively unfair and simply mistaken deprivations of property interests can be prevented" (emphasis added)); *Bell v. Burson*, 402 U.S. 535, 542, 91 S.Ct. 1586, 29 L.Ed.2d 90 (1971) ("It is a proposition which hardly seems to need explication that a hearing which excludes consideration of an element essential to the decision whether licenses of the nature here involved shall be suspended does not meet [the] standard [of due process]"); *Goldberg v. Kelly*, 397 U.S. 254, 271, 90 S.Ct. 1011, 25 L.Ed.2d 287 (1970) ("[T]he decisionmaker's conclusion as to a recipient's eligibility must rest solely on the legal rules and evidence adduced at the hearing"); cf. *ibid.* ("[O]f course, an impartial decision maker is essential").

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Negative Treatment

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Treatment	Title	Date	Type	Depth	Headnote(s)
Distinguished by	1. Vives v. City of New York MOST NEGATIVE 524 F.3d 346 , 2nd Cir.(N.Y.) CIVIL RIGHTS - Municipal Liability. Fact issues barred summary judgment, in § 1983 unlawful arrest action against city.	May 01 , 2008	Case		8 S.Ct.
Distinguished by	2. Garrett v. Belmont County Sheriff Dept. 2008 WL 2511039 , S.D.Ohio This matter is before the Court for an initial screening pursuant to 28 U.S.C. § 1915. For the following reasons, the Court recommends that the complaint be dismissed for failure...	Jun. 19 , 2008	Case		8 S.Ct.
Distinguished by	3. Gardner v. Luzerne County 645 F.Supp.2d 325 , M.D.Pa. CIVIL RIGHTS - Duty to Protect. Bail bond agreement did not create special relationship that would give rise to a duty to protect.	Jan. 28 , 2009	Case		7 S.Ct.
Distinguished by	4. Smith v. Davidson 2012 WL 1079752 , E.D.Mich. This matter is before the Court on Plaintiff Sam Smith's objections (Dkt.10) to the Report and Recommendation ("R & R"), entered by Magistrate Judge R. Steven Whalen on July 7,...	Mar. 30 , 2012	Case		—

Appellate History (15)

Direct History (13)

1. Gonzales v. City of Castle Rock
2001 WL 35973820 , D.Colo. , Jan. 23, 2001

Affirmed in Part, Reversed in Part by

2. Gonzales v. City of Castle Rock
307 F.3d 1258 , 10th Cir.(Colo.) , Oct. 15, 2002

On Rehearing en Banc

3. Gonzales v. City of Castle Rock
366 F.3d 1093 , 10th Cir.(Colo.) , Apr. 29, 2004

Certiorari Granted by

4. Town of Castle Rock, Colo. v. Gonzales
543 U.S. 955 , U.S. , Nov. 01, 2004

AND Reversed by

5. Town of Castle Rock, Colo. v. Gonzales
545 U.S. 748 , U.S. , Jun. 27, 2005

On Remand to

6. Gonzales v. City of Castle Rock
144 Fed.Appx. 746 , 10th Cir.(Colo.) , Sep. 02, 2005

7. Gonzales v. City of Castle Rock
2001 WL 35973820 , D.Colo. , Jan. 23, 2001

Reversed by

8. Gonzales v. City of Castle Rock
366 F.3d 1093 , 10th Cir.(Colo.) , Apr. 29, 2004

Certiorari Granted by

9. Town of Castle Rock, Colo. v. Gonzales
543 U.S. 955 , U.S. , Nov. 01, 2004

AND Reversed by

10. Town of Castle Rock, Colo. v. Gonzales
545 U.S. 748 , U.S. , Jun. 27, 2005

On Remand to

11. Gonzales v. City of Castle Rock
144 Fed.Appx. 746 , 10th Cir.(Colo.) , Sep. 02, 2005

12. Gonzales v. City of Castle Rock
2001 WL 35973820 , D.Colo. , Jan. 23, 2001

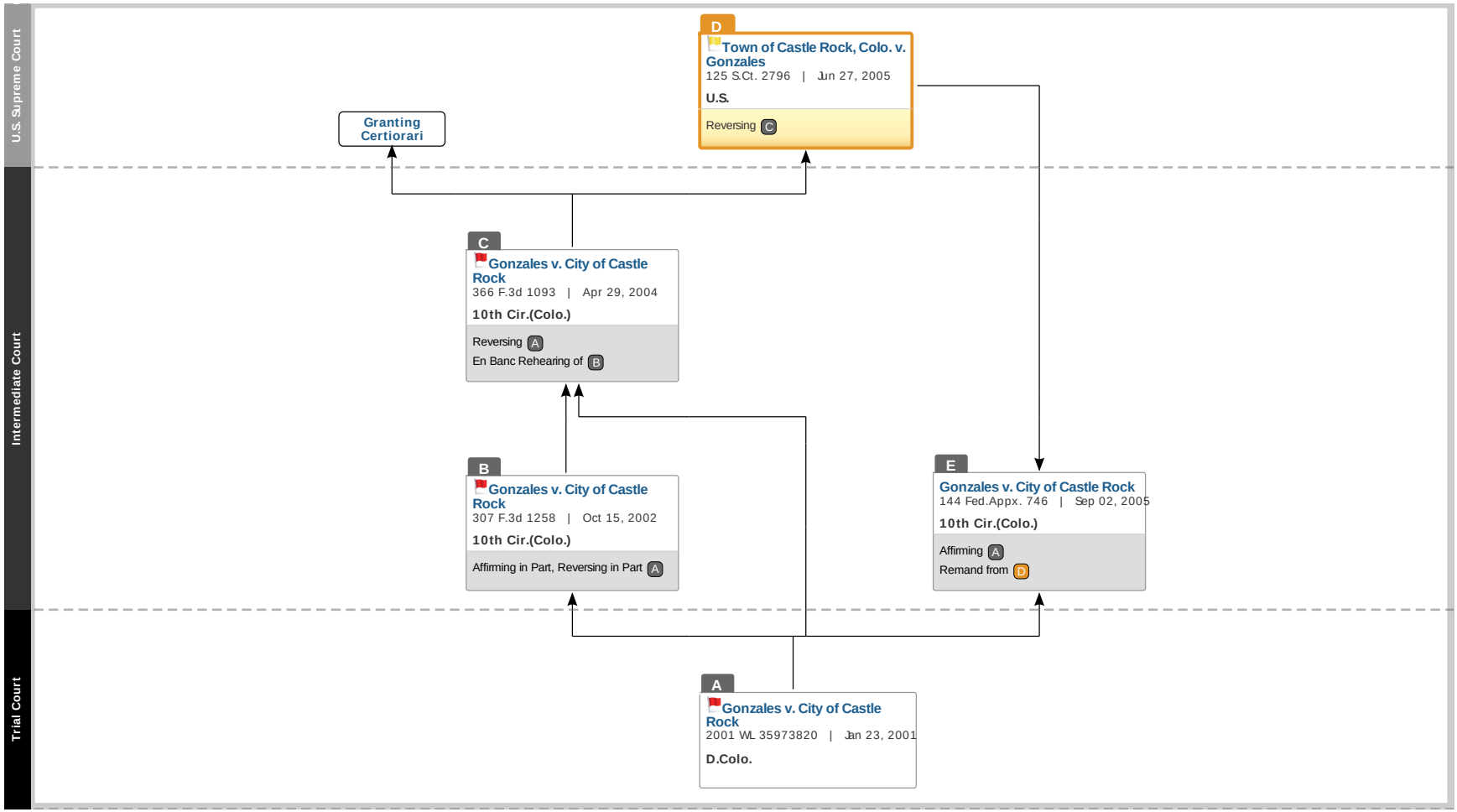
Affirmed by

13. Gonzales v. City of Castle Rock
144 Fed.Appx. 746 , 10th Cir.(Colo.) , Sep. 02, 2005

Related References (2)

14. Town of Castle Rock, Colo. v. Gonzales
543 U.S. 1047 , U.S. , Jan. 10, 2005

15. Town of Castle Rock, Colo. v. Gonzales
543 U.S. 1185 , U.S. , Feb. 28, 2005


U.S. Supreme Court
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Trial Court
D
Town of Castle Rock, Colo. v. Gonzales
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C
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Reversing A
En Banc Rehearing of B
B
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Affirming in Part, Reversing in Part A
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Affirming A
Remand from D
A
Gonzales v. City of Castle Rock
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D.Colo.

Citing References (500)

Treatment	Title	Date	Type	Depth	Headnote(s)
Examined by	**1.** Harrington v. County of Suffolk 607 F.3d 31, 34+ , 2nd Cir.(N.Y.) CIVIL RIGHTS - Due Process. A county ordinance did not create a due process property interest in an adequate police investigation of a collision.	Jun. 04, 2010	Case		6 8 10 S.Ct.
Examined by	**2.** Burella v. City of Philadelphia 501 F.3d 134, 143+ , 3rd Cir.(Pa.) CIVIL RIGHTS - Due Process. A wife did not have a procedural due process right to have the police arrest her husband for violating restraining orders.	Sep. 13, 2007	Case		7 8 10 S.Ct.
Examined by	**3.** Caldwell v. City of Louisville 200 Fed.Appx. 430, 432+ , 6th Cir.(Ky.) CIVIL RIGHTS - Due Process. Law-of-the-case doctrine precluded grant of summary judgment on substantive due process claims under § 1983.	Sep. 15, 2006	Case		8 10 12 S.Ct.
Examined by	**4.** Howard ex rel. Estate of Howard v. Bayes 457 F.3d 568, 573+ , 6th Cir.(Ky.) CIVIL RIGHTS - Duty to Protect. Kentucky statute authorizing arrest conferred no due process right on victim of domestic violence.	Aug. 09, 2006	Case		7 8 10 S.Ct.
Examined by	**5.** Del Marcelle v. Brown County Corp. 680 F.3d 887, 901+ , 7th Cir.(Wis.) Five judges have voted to affirm the district court's judgment and five to remand for further proceedings. The result of this tie vote is affirmance, because it takes a majority...	May 17, 2012	Case		12 S.Ct.
Examined by	**6.** Synclair v. County of Fresno 2009 WL 111684, *8+ , E.D.Cal. Plaintiff Larry Synclair, Sr. is pursuing this civil action for damages and injunctive relief pursuant to 42 U.S.C. § 1983. This court has federal question subject matter...	Jan. 16, 2009	Case		7 8 10 S.Ct.
Examined by	**7.** Moses v. D.C. 741 F.Supp.2d 123, 129+ , D.D.C. CIVIL RIGHTS - Due Process. A District of Columbia statute did not confer a due process property interest in emergency services.	Sep. 28, 2010	Case		6 8 10 S.Ct.
Examined by	**8.** Johnson v. District of Columbia 2006 WL 2521241, *5+ , D.D.C. Plaintiff, Christi Johnson, brings this action in her individual capacity and on behalf of the estate of her son, Tyrone David Christian. Defendants are the District of Columbia...	Aug. 30, 2006	Case		7 8 10 S.Ct.
Examined by	**9.** Turner v. District of Columbia 2006 WL 566121, *3+ , D.D.C. Janella Turner holds the District of Columbia responsible for the violent death of her son, Eric Nathaniel Nelson, Jr., who was shot and killed by James Devon Hill after Mr. Hill...	Mar. 07, 2006	Case		7 8 10 S.Ct.

Treatment	Title	Date	Type	Depth	Headnote(s)
Examined by	**10.** **Hawkins v. Eslinger** 2007 WL 2757375, *3+ , M.D.Fla. This case comes before the Court on the following: 1. Motion to Dismiss (Doc. No. 24, filed Aug. 22, 2007) filed by Defendant Sheriff Donald Eslinger; and 2. Motion to Dismiss...	Sep. 20, 2007	Case		7 8 10 S.Ct.
Examined by	**11.** **Estate of Smithers v. City of Flint** 2009 WL 117623, *2+ , E.D.Mich. This is a suit against the defendants alleging, among other things, violations of the Due Process and Equal Protection Clauses of the Fourteenth Amendment and conspiracy. The...	Jan. 16, 2009	Case		7 8 10 S.Ct.
Examined by	**12.** **Neal v. Lee County** 2010 WL 582437, *3+ , N.D.Miss. This cause comes before the court upon the defendant's motion for judgment on the pleadings and the plaintiff's motion to amend. Upon due consideration of the motions, responses,...	Feb. 12, 2010	Case		7 8 10 S.Ct.
Examined by	**13.** **Salazar ex rel. Garcia v. Barr** 2006 WL 3538812, *7+ , N.D.Miss. This matter comes before the court upon Defendant's Motion to Dismiss, or in the Alternative, Motion for Summary Judgment [7-1]. After due consideration of the motion and the...	Dec. 07, 2006	Case		7 8 10 S.Ct.
Examined by	**14.** **Hamilton v. Aubrey** 2008 WL 1774469, *5+ , D.Nev. Before the court is defendants Clark County and Melinda Resacrudo's ("Resacrudo") motion to dismiss (# 17). The plaintiff Megan Hamilton ("plaintiff") has opposed (# 20), and...	Apr. 15, 2008	Case		8 10 12 S.Ct.
Examined by	**15.** **Boldt v. Myers** 2007 WL 2463245, *7+ , D.Or. Magistrate Judge Paul Papak issued Findings and Recommendation (# 33) on July 6, 2007, in which he recommended the Court grant Defendant Hardy Myers's Motion to Dismiss (# 6) with...	Aug. 28, 2007	Case		—
Examined by	**16.** **Campbell v. West Pittston Borough** 2008 WL 417692, *2+ , M.D.Pa. Presently before the Court is the Motion for Reconsideration of Defendants West Pittston Borough, Ralph Zezza, Carl Rosencrance, Ray Ramage, Joseph Delucca, Drew Smith and William...	Feb. 13, 2008	Case		6 8 10 S.Ct.
Examined by	**17.** **Cuevas v. City of Philadelphia** 2006 WL 2345928, *10+ , E.D.Pa. The Defendants in these consolidated civil rights cases brought pursuant to 42 U.S.C. § 1983 move to dismiss the complaints filed pursuant to Federal Rule of Civil Procedure...	Aug. 11, 2006	Case		7 8 10 S.Ct.
Examined by	**18.** **Starr v. Price** 385 F.Supp.2d 502, 509+ , M.D.Pa. CIVIL RIGHTS - Due Process. Substantive due process rights of shooting victims were not violated when gun was returned to estranged father.	Sep. 08, 2005	Case		7 8 10 S.Ct.

Treatment	Title	Date	Type	Depth	Headnote(s)
Examined by	**19. Morgan v. Bubar** 975 A.2d 59, 75+ , Conn.App. TORTS - Defamation. DOC affirmative action investigation is quasi-judicial and statements made in it are absolutely privileged.	Jul. 14, 2009	Case		6 8 10 S.Ct.
Examined by	**20. Petition for Writ of Certiorari** Ripley v. Wyoming Medical Center Inc. 2009 WL 2349310, *2349310+ , U.S.	Jul. 27, 2009	Petition		3 5 7 S.Ct.
Examined by	**21. Petition for Writ of Certiorari** Phillips v. Gaston County 2008 WL 4448922, *4448922+ , U.S.	Sep. 29, 2008	Petition		6 S.Ct.
Examined by	**22. Respondents' Brief in Opposition** T. v. Ragaglia 2005 WL 2974453, *2974453+ , U.S.	Nov. 02, 2005	Petition		7 8 10 S.Ct.
Examined by	**23. Brief on Behalf of Defendants-Appellees Danielle Barnave and Beverly Bailey** Matthew TUCKER, Plaintiff-Appellant, v. Collins I'JOMA, Danielle Barnave, Beverly Bailey and John and Jane Doe, Employees of the Mail Room, Greystone ... 2009 WL 8518163, *1+ , 3rd Cir.	Sep. 29, 2009	Brief		2 3 6 S.Ct.
Examined by	**24. Brief on Behalf of Defendants-Appellees Danielle Barnave and Beverly Bailey** Matthew TUCKER, Plaintiff-Appellant, v. Collins I'JOMA, Danielle Barnave, Beverly Bailey and John And Jane Doe, Employees of the Mail Room, Greystone ... 2009 WL 6870217, *6870217+ , 3rd Cir.	Sep. 28, 2009	Brief		6 S.Ct.
Examined by	**25. Principal Response Brief on Behalf of Defendants-Appellees Gale Simon and Lee Barry** Eileen O'DONNELL, Plaintiff-Appellant, v. Gale SIMON and Lee Barry, Defendants-Appellees, Health Net, Inc.; Health of the Northeast, Inc.; Health Net ... 2009 WL 5855190, *5855190+ , 3rd Cir.	Jul. 10, 2009	Brief		2 6 10 S.Ct.
Examined by	**26. Appellee's Brief in Opposition** ESTATE OF OMAYRA SOBERAL, Deceased; Rafael Soberal, Individually and as Administrator AD Prosequendum of the Estate of Omayra Soberal; Giovanni Albert... 2009 WL 327513, *327513+ , 3rd Cir.	Jan. 16, 2009	Brief		—
Examined by	**27. Brief of Defendant-Appellees Walker and Murphree** Estate of Leon SMITHERS, by his Personal Representative, Homer Norris, Jr. And Alan Sharp and Robert Bonner, Plaintiffs-Appellants, v. CITY OF FLINT, ... 2009 WL 8384321, *1+ , 6th Cir.	Oct. 13, 2009	Brief		8 10 12 S.Ct.
Examined by	**28. Plaintiffs/Appellants' Brief on Appeal** The Estate of Leon SMITHERS, Alan Sharp and Robert Bonner, Plaintiffs-Appellants, v. THE CITY OF FLINT, Officer Terrance Walker and Officer Brian Murp... 2009 WL 8384319, *1+ , 6th Cir.	Jul. 20, 2009	Brief		8 S.Ct.

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Examined by	**29.** **Brief of the Appellants, Officer Joe Owen and Officer John Morris** Justin HUDSON, Surviving Child of Jennifer Bpaddock, Deceased, by his next friend (Guardian) Pamela Davis; Pamela Davis, Plaintiffs - Appellees, v. Su... 2006 WL 3846253, *3846253+ , 6th Cir.	Jul. 21, 2006	Brief		7 8 10 S.Ct.
Examined by	**30.** **Appellee's Final Brief** Christy CALDWELL, Administratrix of The Estate of Rebecca Cay Caldwell, Deceased, Appellant, v. CITY OF LOUISVILLE, Appellee. 2006 WL 2617742, *2617742+ , 6th Cir.	Feb. 08, 2006	Brief		8 10 12 S.Ct.
Examined by	**31.** **Plaintiff-Appellant's Reply Brief** Clinton O. BEGGS, Plaintiff-Appellant, v. Bill GILKEY and Yell County, Arkansas, Defendants-Appellees. 2006 WL 4634109, *4634109+ , 8th Cir.	Jan. 09, 2006	Brief		9 S.Ct.
Examined by	**32.** **Plaintiff-Appellant's Reply Brief** Clinton O. BEGGS, Plaintiff-Appellant, v. Bill GILKEY and Yell County, Arkansas, Defendants-Appellees. 2006 WL 4673594, *4673594+ , 8th Cir.	Jan. 09, 2006	Brief		9 S.Ct.
Examined by	**33.** **Answering Brief of Appellees County of Fresno, et al.** Larry SYNCLAIR, Sr., individually and as a parent of Larry Synclair, Jr., a minor, Plaintiff - Appellant, v. COUNTY OF FRESNO, et al., Defendants - Ap... 2009 WL 6339228, *6339228+ , 9th Cir.	Aug. 19, 2009	Brief		7 8 10 S.Ct.
Examined by	**34.** **Brief for the Plaintiffs-Appellants, Mark Barteaux, Scott Schmeideke and Bass Lane, LLC** Mark BARTEAUX, Scott Schmeideke and Bass Lane, LLC, Plaintiffs-Appellants, v. RAVALLI COUNTY, Defendant-Appellee. 2008 WL 5187006, *5187006+ , 9th Cir.	Oct. 27, 2008	Brief		—
Examined by	**35.** **Answering Brief for Appellees Hughes and Maricopa County** Jose TORRES-RODRIGUEZ, Plaintiffs-Appellant, v. CITY OF PHOENIX, et al., Defendants-Appellees. 2007 WL 2786757, *2786757+ , 9th Cir.	Aug. 13, 2007	Brief		7 8 10 S.Ct.
Examined by	**36.** **Appellees' Brief** Craig Arthur HUMPHRIES; Wendy Dawn Aborn Humphries, Plaintiffs and Appellants, v. COUNTY OF LOS ANGELES; Sheriff leroy D. Baca; Deputy Sheriffs Michae... 2007 WL 881088, *881088+ , 9th Cir.	Jan. 22, 2007	Brief		7 8 10 S.Ct.
Examined by	**37.** **Reply Brief of Appellants** Alice MCNACK, et al., Appellants, v. State of Maryland, et al., Appellees. 2007 WL 693356, *693356+ , Md.	Feb. 12, 2007	Brief		—
Examined by	**38.** **New Brief of Defendant-Appellant Johnston County Board of Education** Michael G. RIPELLINO, Louise A. Ripellino, and Nicole Ripellino, Plaintiff-Appellees; v. THE NORTH CAROLINA SCHOOL BOARDS ASSOCIATION, Incorporated; N... 2006 WL 2252414, *2252414+ , N.C.	Jul. 27, 2006	Brief		7 8 10 S.Ct.

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Examined by	**39. Reply to Motion to Dismiss of Alternatively, for Summary Judgment** ESTATE OF CAROLYN PETRILLO, by and through its Personal Representative, Mohamed Mashaal;MOHAMED Mark Mashaal; and Selah Frank Mashaal, a minor child, ... 2005 WL 2836901, *2836901+ , D.Colo.	Sep. 26, 2005	Motion		—
Examined by	**40. Plaintiff's Revised Response to Aurora's Motion to Dismiss or Alternatively, for Summary Judgement** ESTATE OF CAROLYN ANN PETRILLO, et al., Plaintiffs, v. CITY OF AURORA, et al., Defendants. 2005 WL 2836895, *2836895+ , D.Colo.	Sep. 06, 2005	Motion		—
Examined by	**41. Plaintiffs' Response to Defendant City of Aurora's Renewed Motion to Dismiss or Alternatively, for Summary Judgement** ESTATE OF CAROLYN ANN PETRILLO, et al., Plaintiffs, v. CITY OF AURORA, et al., Defendants. 2005 WL 2836887, *2836887+ , D.Colo.	Aug. 24, 2005	Motion		—
Examined by	**42. Motion to Dismiss or Alternatively, for Summary Judgment** ESTATE OF CAROLYN PETRILLO, by and through its Personal Representative, Mohamed Mashaal; Mohamed Mark Mashaal; and Selah Frank Mashaal, a minor child,... 2005 WL 2836879, *2836879+ , D.Colo.	Aug. 08, 2005	Motion		—
Examined by	**43. Defendants District of Columbia and Gayle Turner's Reply to Plaintiff's Opposition to Defendants' Motion for Judgment on the Pleadings** Jannella TURNER, Plaintiff, v. DISTRICT OF COLUMBIA, et al., Defendants. 2005 WL 3439141, *3439141+ , D.D.C.	Nov. 14, 2005	Motion		—
Examined by	**44. Defendants District of Columbia and Gayle Turner's Reply to Plaintiff's Opposition to Defendants' Motion for Judgment on the Pleadings** Viva WHITEING, et al., Plaintiff, v. DISTRICT OF COLUMBIA, et al., Defendants. 2003 WL 24166162, *24166162+ , D.D.C.	2003	Motion		—
Examined by	**45. Defendants District of Columbia and Gayle Turner's Reply to Plaintiff's Opposition to Defendants' Motion for Judgment on the Pleadings** Annette BARNES, et al., Plaintiff, v. DISTRICT OF COLUMBIA, et al., Defendants. 2003 WL 24166163, *24166163+ , D.D.C.	2003	Motion		—
Examined by	**46. Defendants District of Columbia and Gayle Turner's Reply to Plaintiff's Opposition to Defendants' Motion for Judgment on the Pleadings** Christi JOHNSON, et al., Plaintiffs, v. DISTRICT OF COLUMBIA, et al., Defendants. 2003 WL 24166164, *24166164+ , D.D.C.	2003	Motion		—
Examined by	**47. Motion to Dismiss by Defendant Sheriff Donald Eslinger** Joan HAWKINS, as Personal Representative of the Estate of Yolanda Evetta Anderson, Plaintiff, v. Donald F. ESLINGER, in his Official capacity as Sheri... 2007 WL 2888165, *2888165+ , M.D.Fla.	Aug. 22, 2007	Motion		—

Treatment	Title	Date	Type	Depth	Headnote(s)
Examined by	**48. City's Reply to Plaintiff's Response to City's Motion for Summary Judgment** Christy CALDWELL, Administratrix Of the Estate of Rebecca Cay Caldwell, Deceased, Plaintiff, v. CITY OF LOUISVILLE, Defendant. 2005 WL 6229897, *6229897+ , W.D.Ky.	Aug. 22, 2005	Motion		8 10 12 S.Ct.
Examined by	**49. Plaintiffs' Brief in Opposition to Motion for Reconsideration by Defendants Younger, Nalbach, and Wolleon** Estate of Omayra SOBERAL, et al., Plaintiffs, v. CITY OF JERSEY CITY, et al., Defendants. 2008 WL 1729053, *1729053+ , D.N.J.	Feb. 04, 2008	Motion		8 10 12 S.Ct.
Examined by	**50. Reply Memorandum of Law in Support of Motion to Dismiss Complaint** CNP MECHANICAL, INC., Plaintiff, v. Christopher ALUND, Dale Stanley, Brian Robison, Timothy Hoak, and Patrick Danieu, Defendants. 2005 WL 2402244, *2402244+ , W.D.N.Y.	Aug. 08, 2005	Motion		—
Examined by	**51. Defendants' Reply to Plaintiffs' Response to to Defendants' Motion to Dismiss Plaintiff's Complaint** LUZ AIDA CUEVAS, et al., Plaintiffs, v. CITY OF PHILADELPHIA, et al., Defendants. 2005 WL 2849683, *2849683+ , E.D.Pa.	Sep. 29, 2005	Motion		—
Examined by	**52. Defendant, Sergeant Guy A. Anhorn's Memorandum of Law in Support of His Motion for Summary Judgment** Dwayne Richard JOHNSON Damian A. Graham Charles Henry Covington and Phenix Crumpton, v. Sergeant Guy A. ANHORN, Lieutenant Jessie Stemple, Whitemarsh ... 2005 WL 2849095, *2849095+ , E.D.Pa.	Sep. 02, 2005	Motion		—
Examined by	**53. Defendant, Sergeant Guy A. Anhorn's Memorandum of Law in Support of His Motion for Summary Judgment** Dwayne Richard JOHNSON Damian A. Graham Charles Henry Covington and Phenix Crumpton, v. Sergeant Guy A. ANHORN, Lieutenant Jessie Stemple, Whitemarsh ... 2005 WL 2849889, *2849889+ , E.D.Pa.	Sep. 02, 2005	Motion		—
Examined by	**54. Plaintiff's Sur Reply Memorandum in Opposition to Defendants' Motion to Dismiss Plaintiff's Complaint** Luz Aida CUEVAS, Individually on her own behalf and as parent and natural guardian of, and on behalf of, Delimar Vera, a minor, v. CITY OF PHILADELPHI... 2005 WL 3135831, *3135831+ , E.D.Pa.	2005	Motion		—
Examined by	**55. Defendants Richard Mraz, Jeffrey Tarrell and James Does' Memorandum in Support of Motion for Summary Judgment** Krystal PARK, a Special Administrator of the Estate of Julie Rae Doncheske, Deceased, Plaintiff, v. John Jack GRAY, individually and as a parole offic... 2009 WL 4923657, *4923657+ , D.S.D.	Sep. 01, 2009	Motion		5 8 10 S.Ct.

Treatment	Title	Date	Type	Depth	Headnote(s)
Examined by	**56. Motion to Dismiss, in Opposition to Motion for Preliminary Injunction, and in Compliance with Order** Carlos ROMERO-BARCELO, Plaintiff, v. Pedro TOLEDO-DAVILA, in his official capacity as Superintendent of Police of the Commonwealth of Puerto Rico, Def... 2007 WL 7011718, *7011718+ , D.Puerto Rico	Feb. 06, 2007	Motion		7 8 10 S.Ct.
Examined by	**57. Opposition to Plaintiff's Petition for Writ of Mandamus and Motion for Preliminary Injunction and Counter-Motion for Summary Judgment** FISHER SAND & GRAVEL CO., a North Dakota corporation, Plaintiff, v. CLARK COUNTY, NEVADA, a Nevada Corporation, et al., Defendants. 2009 WL 2389710, *2389710+ , Nev.Dist.Ct.	May 05, 2009	Motion		—
Examined by	**58. Trial Brief** STUDOR, INC., a Florida Corporation, Plaintiff, v. COUNTY OF CLARK, a political subdivision of the State of Nevada, Clark County Department of Buildin... 2007 WL 7531222, *1+ , Nev.Dist.Ct.	Dec. 06, 2007	Motion		3 5 6 S.Ct.
Distinguished by NEGATIVE	**59. Garrett v. Belmont County Sheriff Dept.** 2008 WL 2511039, *4+ , S.D.Ohio This matter is before the Court for an initial screening pursuant to 28 U.S.C. § 1915. For the following reasons, the Court recommends that the complaint be dismissed for failure...	Jun. 19, 2008	Case		8 S.Ct.
Discussed by	**60. Kelo v. City of New London, Conn.** 125 S.Ct. 2655, 2658+ , U.S.Conn. REAL PROPERTY - Eminent Domain. Economic development qualified as “public use,” for eminent domain purposes.	Jun. 23, 2005	Case		8 S.Ct.
Discussed by	**61. U.S. v. Caraballo-Rodriguez** 480 F.3d 62, 85+ , 1st Cir.(Puerto Rico) CRIMINAL JUSTICE - Pleas. Acceptance of guilty plea to misprision of felony, purportedly without affirmative act of concealment, was not plain error.	Mar. 21, 2007	Case		8 S.Ct.
Discussed by	**62. Culinary Service of Delaware Valley, Inc. v. Borough of Yardley, Pa** 385 Fed.Appx. 135, 140+ , 3rd Cir.(Pa.) GOVERNMENT - Gambling. Absent state parties were not necessary parties to be joined in declaratory judgment action relating to gambling.	Jun. 30, 2010	Case		3 4 6 S.Ct.
Discussed by	**63. Connection Training Services v. City of Philadelphia** 358 Fed.Appx. 315, 319+ , 3rd Cir.(Pa.) CIVIL RIGHTS - Due Process. Job trainer did not have protected property interest in exemption from prevailing wage requirements for city contract work.	Dec. 22, 2009	Case		3 4 6 S.Ct.
Discussed by	**64. Brown v. Cassens Transport Co.** 675 F.3d 946, 958+ , 6th Cir.(Mich.) LABOR AND EMPLOYMENT - Workers' Compensation. State legislature could not preempt RICO remedy by declaring workers' compensation scheme exclusive of federal remedies.	Apr. 06, 2012	Case		3 5 6 S.Ct.

Treatment	Title	Date	Type	Depth	Headnote(s)
Discussed by	**65.** **Estate of Smithers ex rel. Norris v. City of Flint** 602 F.3d 758, 761+ , 6th Cir.(Mich.) CIVIL RIGHTS - Duty to Protect. Officers were not liable for arrestee's shootings after her release.	Apr. 21, 2010	Case		8 10 S.Ct.
Discussed by	**66.** **Chandler v. Village of Chagrin Falls** 296 Fed.Appx. 463, 468+ , 6th Cir.(Ohio) REAL PROPERTY - Zoning and Planning. Homeowner received adequate notice and opportunity to be heard as to revocation of permit for construction of new garage.	Oct. 08, 2008	Case		2 5 S.Ct.
Discussed by	**67.** **Hudson v. Hudson** 475 F.3d 741, 744+ , 6th Cir.(Tenn.) CIVIL RIGHTS - Due Process. A protective order did not create a special relationship with the police, for purposes of substantive due process.	Jan. 26, 2007	Case		8 10 S.Ct.
Discussed by	**68.** **Sandage v. Board of Com'rs of Vanderburgh County** 548 F.3d 595, 597+ , 7th Cir.(Ind.) CIVIL RIGHTS - Constitutional Torts. Sheriff's department's failure to act on murder victims' complaint did not deprive victims of due process.	Nov. 24, 2008	Case		8 10 12 S.Ct.
Discussed by	**69.** **Doyle v. City of Medford** 606 F.3d 667, 674+ , 9th Cir.(Or.) CIVIL RIGHTS - Due Process. Oregon statute did not create a property interest in post-retirement health insurance coverage under Due Process Clause.	May 26, 2010	Case		8 9 10 S.Ct.
Discussed by	**70.** **Ribeau v. Katt** 681 F.3d 1190, 1194+ , 10th Cir.(Kan.) EDUCATION - Labor and Employment. School district employee did not have an implied contract right to a pre-terminating hearing.	Jun. 11, 2012	Case		3 4 6 S.Ct.
Discussed by	**71.** **Phillips v. Kerns** --- Fed.Appx. ----+ , 10th Cir.(Okla.) CIVIL RIGHTS - Conspiracy. Plaintiff failed to state a claim under civil rights conspiracy statute.	May 15, 2012	Case		8 12 S.Ct.
Discussed by	**72.** **Ripley v. Wyoming Medical Center, Inc.** 559 F.3d 1119, 1125+ , 10th Cir.(Wyo.) HEALTH - Hospitals. Statute requiring hospitals to be open for practice to dentists did not create property interest in staff membership.	Mar. 16, 2009	Case		6 8 S.Ct.
Discussed by	**73.** **Teigen v. Renfrow** 511 F.3d 1072, 1079+ , 10th Cir.(Colo.) CIVIL RIGHTS - Due Process. State employees were not deprived of due process property interest by policy of denying them promotions.	Dec. 27, 2007	Case		6 S.Ct.
Discussed by	**74.** **Schulz v. City of Longmont, Colorado** 465 F.3d 433, 443+ , 10th Cir.(Colo.) CIVIL RIGHTS - Due Process. City council's imposition of wage freeze did not violate firefighters' and police officers' due process rights.	Sep. 26, 2006	Case		5 S.Ct.

Treatment	Title	Date	Type	Depth	Headnote(s)
Discussed by	**75.** Robbins v. U.S. Bureau of Land Management 438 F.3d 1074, 1085+ , 10th Cir.(Wyo.) GOVERNMENT CONTRACTS - Settlements. APA waived federal government's sovereign immunity for ranch owner's procedural due process claim against BLM.	Feb. 23, 2006	Case		8 10 S.Ct.
Discussed by	**76.** Crystal Dunes Owners Ass'n Inc. v. City of Destin, Fla. 476 Fed.Appx. 180, 183+ , 11th Cir.(Fla.) CIVIL RIGHTS - Due Process. Beachfront condominium owners did not have property interest in police response to trespass complaints.	Apr. 17, 2012	Case		5 12 S.Ct.
Discussed by	**77.** Roth v. King 449 F.3d 1272, 1284+ , D.C.Cir. FAMILY LAW - Attorney Fees. Lawyers who were not selected to provide CJA services were not entitled to mandatory process under Fifth Amendment.	Jun. 09, 2006	Case		3 5 6 S.Ct.
Discussed by	**78.** Rodriguez v. City of Phoenix 2007 WL 411832, *5+ , D.Ariz. The parties in this civil rights case have filed partial, full, and cross motions for summary judgment. The Court has reviewed the memoranda and supporting materials submitted by...	Feb. 05, 2007	Case		7 8 10 S.Ct.
Discussed by	**79.** Abram v. Busby 2006 WL 398517, *6+ , E.D.Ark. Numerous Motions for Summary Judgment are before the Court. The following motions have been filed by Defendants: (1) Motion for Summary Judgment filed by Separate Defendants...	Feb. 16, 2006	Case		7 8 10 S.Ct.
Discussed by	**80.** Alston v. County of Sacramento 2012 WL 2839825, *5+ , E.D.Cal. Plaintiff is proceeding pro se and in forma pauperis in this action, which was referred to the undersigned by E.D. Cal. L.R. 302(c)(21), pursuant to 28 U.S.C. § 636(b)(1)....	Jul. 10, 2012	Case		8 10 11 S.Ct.
Discussed by	**81.** Parham v. Steemers 2012 WL 2562351, *7+ , E.D.Cal. This action for damages under 42 U.S.C. § 1983 arises from a traffic stop and detention of plaintiff Latasha Parham by defendant Philip Steemers and other unidentified police...	Jun. 29, 2012	Case		8 10 S.Ct.
Discussed by	**82.** Alston v. Tassone 2012 WL 2377015, *5+ , E.D.Cal. Plaintiff is proceeding pro se and in forma pauperis in this action, which was referred to the undersigned by E.D. Cal. L.R. 302(c)(21), pursuant to 28 U.S.C. § 636(b)(1)....	Jun. 22, 2012	Case		8 10 11 S.Ct.

Treatment	Title	Date	Type	Depth	Headnote(s)
Discussed by	**83.** **Williby v. City of Oakland** 2008 WL 686014, *4+ , N.D.Cal. Plaintiff Harry J. Williby, who is proceeding pro se in this action, alleged violations of 42 U.S.C. § 1983 and various state laws against Defendants City of Oakland, Oakland...	Mar. 13, 2008	Case		8 10 12 S.Ct.
Discussed by	**84.** **Humphries v. Los Angeles County** 2005 WL 6431760, *9+ , C.D.Cal. Karla J. Tunis, Deputy Clerk. Defendants County of Los Angeles ("County"), Leroy D. Baca ("Baca"), Michael L. Wilson ("Wilson"), Charles T. Ansberry ("Ansberry"), and Bill...	Aug. 22, 2005	Case		8 10 S.Ct.
Discussed by	**85.** **Majors v. City of Oakland** 2005 WL 2216955, *4+ , N.D.Cal. This lawsuit arises out of the Oakland Police Department's alleged failure to appropriately respond to calls from a church whose membership is predominately black. Now pending...	Jul. 25, 2005	Case		7 8 10 S.Ct.
Discussed by	**86.** **Gardner v. Golden City Council** 2008 WL 608410, *3+ , D.Colo. THIS MATTER comes before the Court pursuant to the Defendants' Motion to Dismiss (# 20), the Plaintiffs' response (# 21), and the Defendants' reply (# 23). According to the Amended...	Mar. 03, 2008	Case		2 8 S.Ct.
Discussed by	**87.** **Doe ex rel. Doe v. Darien Bd. of Educ.** 2012 WL 4092662, *5+ , D.Conn. On December 28, 2012, Plaintiff John Doe, and his parents Mr. and Mrs. Robert Doe, filed a First Amended Complaint [Doc. # 28] claiming that he was sexually assaulted by Darien...	Sep. 17, 2012	Case		1 2 4 S.Ct.
Discussed by	**88.** **Gugliotti v. Miron** 2010 WL 3025223, *6+ , D.Conn. Plaintiffs David Gugliotti (“Gugliotti”) and Karen Gugliotti (together, “the Gugliottis”) bring this action against defendants James Miron, Mayor of Stratford, Connecticut; Michael...	Jul. 30, 2010	Case		6 S.Ct.
Discussed by	**89.** **Closson v. Board of Selectmen** 2009 WL 1538138, *2+ , D.Conn. CIVIL RIGHTS - Due Process. Unpaid former chairman of municipal planning and zoning commission had no property interest in his position.	Jun. 01, 2009	Case		6 S.Ct.
Discussed by	**90.** **Edwards v. Aurora Loan Services, LLC** 791 F.Supp.2d 144, 153+ , D.D.C. REAL PROPERTY - Mortgages and Deeds of Trust. Homeowners did not have protected property interest in loan modification under Home Affordable Mortgage Program (HAMP).	Jun. 14, 2011	Case		3 4 5 S.Ct.
Discussed by	**91.** **Clarke v. Holder** 767 F.Supp.2d 106, 112+ , D.D.C. LITIGATION - Writs. Injury of being convicted under the hostage taking statute was not redressable by action seeking writ of mandamus.	Mar. 23, 2011	Case		8 S.Ct.

Treatment	Title	Date	Type	Depth	Headnote(s)
Discussed by	**92.** U.S. v. Clarke 628 F.Supp.2d 1, 11+ , D.D.C. CRIMINAL JUSTICE - Prosecution. Court could consider U.S. Attorney's opposition to defendants' motion to dismiss.	May 08, 2009	Case		8 S.Ct.
Discussed by	**93.** Barnes v. District of Columbia 2007 WL 1655868, *2+ , D.D.C. Plaintiff, Annette G. Barnes, brings this action individually and as the personal representative of the estate of her late husband, Kenneth Barnes, Jr. against the District of...	Jun. 06, 2007	Case		5 S.Ct.
Discussed by	**94.** Esdale v. Sarasota County Sheriff's Office 2007 WL 1299436, *2+ , M.D.Fla. Following an order (Doc. 38) dismissing the plaintiffs' claim against the Florida Department of Law Enforcement (''FDLE'') and construing the Sarasota County Sheriff's Office's...	May 02, 2007	Case		8 10 12 S.Ct.
Discussed by	**95.** Kuster v. Foley 2008 WL 2051594, *10+ , D.Hawai'i This case arises out of Plaintiff Lothar Kuster's attempt to develop one of three adjacent properties he owns on Maui, Hawaii. The property in question is undeveloped land with an...	May 13, 2008	Case		2 3 S.Ct.
Discussed by	**96.** Caldwell v. City of Louisville 2005 WL 2290589, *1+ , W.D.Ky. This matter is before the court on motion of the defendant, City of Louisville, for summary judgment in this civil rights action. The parties have briefed the issue of whether the...	Sep. 19, 2005	Case		8 S.Ct.
Discussed by	**97.** Robinson v. Lioi 2012 WL 2992251, *6+ , D.Md. This case arises from the murder of Veronica Williams (“Ms.Williams”) by her husband, Cleaven Lawrence Williams, Jr. (“Mr.Williams”) in November 2008. Weeks before she was killed,...	Jul. 18, 2012	Case		8 S.Ct.
Discussed by	**98.** Hannon v. Wedge 2011 WL 6997636, *7+ , W.D.Mich. This matter is before the Court on Defendants' Motion for Summary Judgment. (Dkt.# 12). Pursuant to 28 U.S.C. § 636(b)(1) (B), the undersigned recommends that Defendants' motion be...	Dec. 02, 2011	Case		2 3 5 S.Ct.
Discussed by	**99.** Eagle v. Cannon 2011 WL 976418, *9+ , W.D.Mich. This matter is before the Court on Defendants Cannon, Pilarski, Zanger, Hull, and Heibeck's Motion to Dismiss. (Dkt.# 16). Pursuant to 28 U.S.C. § 636(b)(1)(B), the undersigned...	Feb. 22, 2011	Case		2 3 5 S.Ct.

Treatment	Title	Date	Type	Depth	Headnote(s)
Discussed by	**100.** Johnson v. Jones 2010 WL 623704, *9+ , W.D.Mich. At issue are two reports and recommendations addressing three motions for summary judgment. Plaintiff William Johnson, proceeding pro se, is a prisoner under the control of the...	Feb. 18, 2010	Case		5 S.Ct.
Discussed by	**101.** Gutman v. Wriggelsworth 2010 WL 1814816, *3+ , W.D.Mich. CIVIL RIGHTS - Prisons. Inmate's removal from prison kosher meal program was not a violation of his procedural due process rights.	Feb. 04, 2010	Case		5 S.Ct.
Discussed by	**102.** Treece v. Burnett 2007 WL 2815020, *8+ , W.D.Mich. The Court has reviewed the Report and Recommendation filed by the United States Magistrate Judge in this action. The Report and Recommendation was duly served on the parties. No...	Sep. 25, 2007	Case		5 S.Ct.
Discussed by	**103.** Taylor Acquisitions, LLC v. City of Taylor 2006 WL 3085394, *2+ , E.D.Mich. This matter is before the Court on Defendants' Motion to dismiss. The parties have fully briefed the issues, including supplemental briefing, and a hearing was held October 5,...	Oct. 27, 2006	Case		1 3 5 S.Ct.
Discussed by	**104.** ADT Sec. Services, Inc. v. Swenson 2011 WL 2014823, *7+ , D.Minn. This case arises out of the tragic murders of Teri Lynn Lee and Timothy J. Hawkinson, Sr. by Steven Van Keuren on September 22, 2006. Van Keuren broke into Lee's home, in which...	May 23, 2011	Case		8 S.Ct.
Discussed by	**105.** McFadyen v. Duke University 786 F.Supp.2d 887, 937+ , M.D.N.C. EDUCATION - Civil Rights. Former member of Duke University lacrosse team adequately stated Fourth Amendment claim.	Mar. 31, 2011	Case		1 2 6 S.Ct.
Discussed by	**106.** Gypsum Resources, LLC v. Guinn 2008 WL 872835, *5+ , D.Nev. This matter comes before the Court on two Motions to Dismiss, filed by the State and County Defendants, respectively, under Rule 12(b)(6) of the Federal Rules of Civil Procedure...	Mar. 27, 2008	Case		5 S.Ct.
Discussed by	**107.** Chavez-Rodriguez v. City of Santa Fe- 2008 WL 5992271, *7+ , D.N.M. THIS MATTER comes before the Court on the Defendants' Motion and Memorandum in Support Thereof for Partial Summary Judgment on Count II (Due Process Rights Under the United States...	Oct. 09, 2008	Case		4 6 S.Ct.
Discussed by	**108.** Cohen v. Cannavo 2012 WL 3999846, *8+ , S.D.N.Y. The New York State Department of Health regulates the State's 450 adult care facilities, conducting inspections, finding violations of law, and requiring corrective actions by the...	Sep. 12, 2012	Case		3 5 S.Ct.

Treatment	Title	Date	Type	Depth	Headnote(s)
Discussed by	**109.** **Willets Point Industry and Realty Ass'n v. City of New York** 2009 WL 4282017, *9+ , E.D.N.Y. Willets Point is an industrially-zoned neighborhood in northern Queens, New York, consisting primarily of auto-related and waste management businesses. (Compl. Ex. C at 2.) The...	Nov. 25, 2009	Case		4 S.Ct.
Discussed by	**110.** **Jenkins v. New York City Dept. of Homeless Services** 643 F.Supp.2d 507, 512+ , S.D.N.Y. CIVIL RIGHTS - Due Process. Homeless person denied entry into general shelter population was not deprived of property in violation of his due process rights.	Jul. 07, 2009	Case		5 S.Ct.
Discussed by	**111.** **Jana-Rock Const., Inc. v. City of Syracuse** 2007 WL 3274801, *2+ , N.D.N.Y. Plaintiff filed a complaint against Defendant City of Syracuse ("City") in New York State Supreme Court on August 6, 2004. Defendant then removed the case to this Court on...	Nov. 05, 2007	Case		5 S.Ct.
Discussed by	**112.** **Mayrides v. Delaware County Com'rs** 666 F.Supp.2d 861, 870+ , S.D.Ohio CIVIL RIGHTS - Immunity. Officials allegedly involved in investigating decedent's death were entitled to qualified immunity in §1983 suit.	Sep. 24, 2009	Case		10 S.Ct.
Discussed by	**113.** **Gunasekera v. Irwin** 517 F.Supp.2d 999, 1008+ , S.D.Ohio EDUCATION - Civil Rights. University administrators were entitled to qualified immunity from professor's due process claims.	Sep. 26, 2007	Case		10 11 S.Ct.
Discussed by	**114.** **Albrecht v. Treon** 2007 WL 777864, *5+ , S.D.Ohio This matter is before the Court on the Motion of the Cuyahoga County Coroner and the Board of Commissioners of Cuyahoga County (hereafter "Cuyahoga County") to Certify a Question...	Mar. 12, 2007	Case		7 S.Ct.
Discussed by	**115.** **Albertson v. Stewart** 2007 WL 128946, *6+ , D.Or. Magistrate Judge John P. Cooney filed Findings and Recommendation on December 5, 2006. The matter is now before this court. See 28 U.S.C. § 636(b)(1)(B), Fed.R.Civ.P. 72(b)....	Jan. 16, 2007	Case		4 6 S.Ct.
Discussed by	**116.** **McFadden v. Dryvit Systems, Inc.** 2006 WL 696253, *4+ , D.Or. This matter comes before the Court on Defendant's Motion for Summary Judgment of Dismissal Based on Federal Constitutional Grounds (# 70). For the reasons that follow, the Court...	Mar. 13, 2006	Case		1 8 10 S.Ct.

Treatment	Title	Date	Type	Depth	Headnote(s)
Discussed by	**117.** Earnest v. King 2011 WL 5075380, *8+ , W.D.Pa. Pending now before the Court is DEFENDANTS' MOTION TO DISMISS PLAINTIFFS' COMPLAINT PURSUANT TO FED.R.CIV.P. 12(b)(6), filed at Doc. No. 10, with brief in support (Doc. No. 11)....	Oct. 24, 2011	Case		2 3 S.Ct.
Discussed by	**118.** Segreti v. Borough of Wilkinsburg 2011 WL 284130, *6+ , W.D.Pa. Plaintiff, Emelia M. Segreti, proceeding pro se, brings this action pursuant to 42 U.S.C. § 1983 against Defendants, the Borough of Wilkinsburg, Lt. Michele Krempatsky, Mayor John...	Jan. 26, 2011	Case		7 8 S.Ct.
Discussed by	**119.** Segreti v. Wilkinsburg 2010 WL 1930086, *6+ , W.D.Pa. Plaintiff, Emelia M. Segreti, proceeding pro se, brings this action pursuant to 42 U.S.C. § 1983 against Defendants, the Borough of Wilkinsburg, Lt. Michele Krempatsky, Mayor John...	May 13, 2010	Case		7 8 S.Ct.
Discussed by	**120.** Walter v. Pike County, Pennsylvania 465 F.Supp.2d 409, 423+ , M.D.Pa. CIVIL RIGHTS - Due Process. Fact issues precluded substantive due process claim by family of murdered township officer.	Nov. 29, 2006	Case		7 8 10 S.Ct.
Discussed by	**121.** Park v. Gray 2010 WL 1177342, *6+ , D.S.D. This action was commenced by Krystal Park (plaintiff) in her capacity as administrator of the estate of Julie Rae Doncheske (Doncheske). The action alleges that, in violation of 42...	Mar. 25, 2010	Case		7 8 10 S.Ct.
Discussed by	**122.** Hafley v. County Com'n of McMinn County 2009 WL 838192, *2+ , E.D.Tenn. Before the Court is Defendants County Commission of McMinn County, McMinn County Sheriff's Department and Caleb Martin's motion to dismiss or for summary judgment (Court File No....	Mar. 26, 2009	Case		10 12 S.Ct.
Discussed by	**123.** Hudson v. Hudson 2005 WL 2253612, *3+ , W.D.Tenn. This matter is before the Court on the motion of Officers Joe Owen ("Owen") and John Morris ("Morris") (collectively "Defendants") to dismiss the Plaintiffs' constitutional...	Sep. 14, 2005	Case		5 8 10 S.Ct.
Discussed by	**124.** Estate of C.A. v. Grier 2011 WL 3902750, *6+ , S.D.Tex. C.A., a 17–year–old senior at a high school in the Houston Independent School District, drowned in the school's swimming pool during a physics class in which students went into the...	Sep. 06, 2011	Case		3 S.Ct.
Discussed by	**125.** Roberson v. Roberson 646 F.Supp.2d 846, 849+ , N.D.Tex. CIVIL RIGHTS - Due Process. County lacked special relationship with mother mandating her protection from violent son.	Jan. 30, 2009	Case		12 S.Ct.

Treatment	Title	Date	Type	Depth	Headnote(s)
Discussed by	**126.** Jonathan C. v. Hawkins 2006 WL 3498494, *10+ , E.D.Tex. The Court, having granted the Plaintiffs's Motion for Summary Judgment [Clerk's doc. # 23] and denied the Defendant's Motion to Dismiss and for Summary Judgment [Clerk's doc. #...	Dec. 05, 2006	Case		4 S.Ct.
Discussed by	**127.** Cravens v. City of La Marque, Tex. 2006 WL 492805, *6+ , S.D.Tex. This case arises out of alleged misconduct by former City of La Marque police officer Richard Ontiveros ("Ontiveros"), who failed to take Abner Cravens ("Cravens") into custody...	Feb. 28, 2006	Case		8 S.Ct.
Discussed by	**128.** Olson v. Cache County 2010 WL 3257978, *3+ , D.Utah The First Judicial District Court of Cache County issued a protective order restricting Bradley Olson from making contact with his ex-wife, Plaintiff Marian Olson, her son Cody...	Aug. 17, 2010	Case		8 10 S.Ct.
Discussed by	**129.** Mills v. City of Roanoke 518 F.Supp.2d 815, 818+ , W.D.Va. CIVIL RIGHTS - Due Process. Officers' and city's failure to arrest convicted felon with firearm did not violate due process rights of murder victim.	Oct. 12, 2007	Case		8 10 12 S.Ct.
Discussed by	**130.** Sensing v. Harris 172 P.3d 856, 859+ , Ariz.App. Div. 1 GOVERNMENT - Public Safety. Ordinance providing that police chief “shall be responsible for the enforcement” of city ordinances did not impose a specific duty to enforce soliciting...	Dec. 20, 2007	Case		7 8 S.Ct.
Discussed by	**131.** Swanson v. City of Groton 2007 WL 4105513, *6+ , Conn.Super. On June 22, 2002, Officer Jad Bickford of the City of Groton Police Department responded to a call regarding an intoxicated person outside the Tollgate Laundry in the city. After a...	Oct. 26, 2007	Case		8 10 S.Ct.
Discussed by	**132.** Chicago Teachers Union, Local No. 1 v. Board of Educ. of City of Chicago 963 N.E.2d 918, 923+ , Ill. EDUCATION - Seniority and Tenure. School Code did not provide laid-off tenured teachers with a substantive right to be rehired after an economic layoff.	Feb. 17, 2012	Case		6 S.Ct.
Discussed by	**133.** Landmark Nat. Bank v. Kesler 216 P.3d 158, 169+ , Kan. REAL PROPERTY - Mortgages and Deeds of Trust. Purported second mortgagee's “nominee” was not entitled to intervene in first mortgagee's foreclosure action.	Aug. 28, 2009	Case		9 10 S.Ct.
Discussed by	**134.** In re Estate of Braman 2012 WL 676393, *8+ , Mich.App. In these consolidated appeals, plaintiffs appeal as of right from the trial court's final orders granting defendants' motions for summary disposition. For the reasons that follow,...	Mar. 01, 2012	Case		3 5 S.Ct.

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Discussed by	**135.** Cockerham-Ellerbee v. Town of Jonesville 626 S.E.2d 685, 688+ , N.C.App. GOVERNMENT - Immunity. Plaintiff stated claim for special duty exception to immunity under public duty doctrine.	Mar. 07, 2006	Case		8 S.Ct.
Discussed by	**136.** In re Union Telephone Co. 999 A.2d 336, 347+ , N.H. ENERGY AND UTILITIES - Industry Regulation. PUC was required to hold hearing on decision on whether to allow another telephone utility to compete in the service area.	May 20, 2010	Case		4 6 S.Ct.
Discussed by	**137.** County of Dallas v. Wiland 216 S.W.3d 344, 354+ , Tex. LABOR AND EMPLOYMENT - Public Employment. Deputy constables had procedural due process right to employment.	Feb. 16, 2007	Case		8 S.Ct.
Discussed by	**138.** Lee v. Texas Workers' Compensation Com'n 272 S.W.3d 806, 817+ , Tex.App.-Austin LABOR AND EMPLOYMENT - Workers' Compensation. Removal of physician's name from approved doctor list (ADL) was authorized under workers' compensation statute.	Dec. 17, 2008	Case		2 3 5 S.Ct.
Discussed by	**139.** Respondent's Brief in Opposition King v. Pfeiffer 2011 WL 4543936, *1+ , U.S.	Sep. 28, 2011	Petition		—
Discussed by	**140.** Petition for Writ of Certiorari King v. Pfeiffer 2011 WL 3799091, *1+ , U.S.	Aug. 18, 2011	Petition		10 S.Ct.
Discussed by	**141.** Brief in Opposition to Petition for Writ of Certiorari Township of Liberty, Ohio v. Wedgewood Ltd. Partnership I 2010 WL 5149243, *5149243+ , U.S.	Dec. 15, 2010	Petition		—
Discussed by	**142.** Petition for Writ of Certiorari Township of Liberty, Ohio v. Wedgewood Ltd. Partnership I 2010 WL 4625035, *4625035+ , U.S.	Nov. 10, 2010	Petition		5 S.Ct.
Discussed by	**143.** Brief in Opposition Waeschle v. Dragovic 2010 WL 673837, *673837+ , U.S.	Feb. 23, 2010	Petition		7 S.Ct.
Discussed by	**144.** Petition for Writ of Certiorari Ivezaj v. United States of America 2010 WL 361318, *361318+ , U.S.	Jan. 28, 2010	Petition		7 S.Ct.
Discussed by	**145.** Supplemental Brief for Petitioner Robertson v. U.S. 2009 WL 3870816, *3870816+ , U.S.	Nov. 17, 2009	Petition		8 S.Ct.
Discussed by	**146.** Petition for a Writ of Certiorari Star Northwest, Inc. v. City of Kenmore 2009 WL 953632, *953632+ , U.S.	Apr. 07, 2009	Petition		7 S.Ct.
Discussed by	**147.** Brief In Opposition Bryan Media, Inc. v. City of St. Peterburg, Florida 2009 WL 481245, *481245+ , U.S.	Feb. 23, 2009	Petition		—

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Discussed by	**148.** **Petition for a Writ of Certiorari** Bryan Media, Inc. v. The City of St. Petersburg 2009 WL 180863, *180863+ , U.S.	Jan. 21, 2009	Petition		4 S.Ct.
Discussed by	**149.** **Brief in Opposition** Cleveland Const., Inc. v. City of Cincinnati 2008 WL 5099603, *5099603+ , U.S.	Dec. 01, 2008	Petition		2 5 S.Ct.
Discussed by	**150.** **Petition for Writ of Certiorari** Cleveland Const., Inc. v. City of Cincinnati 2008 WL 4819903, *4819903+ , U.S.	Nov. 03, 2008	Petition		6 S.Ct.
Discussed by	**151.** **Petition for Writ of Certiorari** Bowling v. Carpenter 2008 WL 4757423, *4757423+ , U.S.	Oct. 15, 2008	Petition		—
Discussed by	**152.** **Petition for a Writ of Certiorari** Harney v. Speedway SuperAmerica, LLC 2008 WL 5328211, *5328211+ , U.S.	Oct. 14, 2008	Petition		7 S.Ct.
Discussed by	**153.** **Petition for a Writ of Certiorari** Ohio Pyro, Inc. v. Ohio Dept. of Commerce 2008 WL 65153, *65153+ , U.S.	Jan. 02, 2008	Petition		6 8 S.Ct.
Discussed by	**154.** **Brief in Opposition to Petition for Writ of Certiorari** In Re Katrina Canal Breaches Litigation Xavier University of Louisiana v. Travelers Property Cas. Co. of America 2007 WL 4618408, *1+ , U.S.	Dec. 27, 2007	Petition		7 S.Ct.
Discussed by	**155.** **Opposition to Petition for a Writ of Certiorari** Spiegel v. Volvo Cars of North America, LLC 2007 WL 4255289, *4255289+ , U.S.	Nov. 29, 2007	Petition		6 S.Ct.
Discussed by	**156.** **Petition for Writ of Certiorari** Luckey v. Pinellas County 2007 WL 2688266, *2688266+ , U.S.	Sep. 11, 2007	Petition		12 S.Ct.
Discussed by	**157.** **Petition for a Writ of Certiorari** Cox v. Northland Family Planning, Inc. 2007 WL 2608822, *2608822+ , U.S.	Sep. 04, 2007	Petition		8 S.Ct.
Discussed by	**158.** **Reply to Brief in Opposition** Cravens v. City of La Marque, Texas 2007 WL 2406818, *2406818+ , U.S.	Aug. 23, 2007	Petition		8 10 S.Ct.
Discussed by	**159.** **Brief in Opposition** Cravens v. City of La Marque, Texas 2007 WL 2331848, *2331848+ , U.S.	Aug. 13, 2007	Petition		—
Discussed by	**160.** **Petition for Writ of Certiorari with Appendix** North Carolina School Boards Ass'n, Inc. v. Ripellino 2007 WL 1211657, *1211657+ , U.S.	Apr. 23, 2007	Petition		4 8 S.Ct.
Discussed by	**161.** **Petition for Writ of Certiorari with Appendix** The Johnston County Bd. of Educ. v. Ripellino 2007 WL 1435437, *1435437+ , U.S.	Apr. 23, 2007	Petition		—
Discussed by	**162.** **Brief in Opposition** Stuter v. Stevens County Sheriff Dept. 2006 WL 2644157, *2644157+ , U.S.	Sep. 13, 2006	Petition		—
Discussed by	**163.** **Brief in Opposition** Yanaki v. Parr Waddoups Brown Gee & Loveless 2006 WL 838989, *838989+ , U.S.	Mar. 27, 2006	Petition		7 8 10 S.Ct.

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Discussed by	**164.** **Petition for Writ of Certiorari** Seven Up Pete Venture v. The State of Montana 2005 WL 2988240, *2988240+ , U.S.	Nov. 04, 2005	Petition		4 S.Ct.
Discussed by	**165.** **Brief for Respondent** Oscar Saul AGUILA CUEVA, et al., AXX-XXX-XXX/280, Petitioners, v. Michael B. MUKASEY, Attorney General, Respondent. 2008 WL 4727712, *4727712+ , 9th Cir.	Sep. 15, 2008	Petition		5 S.Ct.
Discussed by	**166.** **Petitioner's Optional Reply Brief** Rogelio Santiago GARSON, Petitioner, v. Alberto R. GONZALES, Attorney General, Respondent. 2007 WL 2401394, *2401394+ , 9th Cir.	Jul. 06, 2007	Petition		—
Discussed by	**167.** **Brief for Respondent** Jaime ROJO-RESENDIZ, Petitioner, v. Alberto R. GONZALES, Attorney General, Respondent. 2005 WL 5773796, *5773796+ , 10th Cir.	Jul. 18, 2005	Petition		5 6 S.Ct.
Discussed by	**168.** **Appellee's Response to Petition for Review** Roger SENSING, Petitioner/Appellant, v. Jack F. HARRIS, in his official capacity as Chief of Police of the City of Phoenix, an Arizona municipality, R... 2008 WL 1802266, *1802266+ , Ariz.	Feb. 20, 2008	Petition		—
Discussed by	**169.** **Petition for Review** Robert BARE, Plaintiff and respondent, v. LAKE SHASTINA COMMUNITY SERVICES DISTRICT, et al., Defendants, appellants, and petitioners. 2008 WL 1869138, *1869138+ , Cal.	Mar. 10, 2008	Petition		—
Discussed by	**170.** **Brief for Respondent** Reichle v. Howards 2012 WL 588456, *1+ , U.S.	Feb. 20, 2012	Brief		8 S.Ct.
Discussed by	**171.** **Brief of Amicae Curiae Women State Legislators and Academics in Support of Petitioners** McDonald v. City of Chicago 2009 WL 4099509, *4099509+ , U.S.	Nov. 23, 2009	Brief		8 S.Ct.
Discussed by	**172.** **Reply Brief for Petitioners** Pottawattamie County, Iowa v. McGhee 2009 WL 3301822, *3301822+ , U.S.	Oct. 13, 2009	Brief		9 S.Ct.
Discussed by	**173.** **Brief of Eleven Individuals who have Received Clemency through DNA Testing as Amici Curiae in Support of Respondent** District Attorney's Office for the Third Judicial District v. Osborne 2009 WL 271057, *271057+ , U.S.	Feb. 02, 2009	Brief		4 6 S.Ct.
Discussed by	**174.** **Brief of Amici Curiae National School Boards Association, American Council on Education, and American Association of School Administrators in Support ...** Fitzgerald v. Barnstable School Committee 2008 WL 4791926, *4791926+ , U.S.	Oct. 29, 2008	Brief		—
Discussed by	**175.** **Brief of Amicae Curiae 126 Women State Legislators and Academics in Support of Respondent** District of Columbia v. Heller 2008 WL 383523, *383523+ , U.S.	Feb. 08, 2008	Brief		8 S.Ct.

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Discussed by	**176. Brief of the American Bar Association as Amicus Curiae Supporting Respondent** Commonwealth of Virginia v. Moore 2007 WL 4351583, *4351583+ , U.S.	Dec. 10, 2007	Brief		7 8 S.Ct.
Discussed by	**177. Brief for Defendants-Appellees** John Jay SMITH, Plaintiff-Appellant, v. Stephen T'KACH, Director of Office of Enforcement Operations (OEO), in his Individual Capacity, Eileen Ruleman... 2012 WL 900735, *1+ , 2nd Cir.	Mar. 08, 2012	Brief		2 3 5 S.Ct.
Discussed by	**178. Brief of Appellees City of Burlington, Emmett Helrich, Wade Labrecque** James E. PIETRANGELO, II, Plaintiff - Appellant, v. ALVAS CORP., George Alvanos, Christine Alvanos, Evan Alvanos, John Doe, City Of Burlington, Emmett... 2011 WL 3664490, *1+ , 2nd Cir.	Aug. 02, 2011	Brief		8 10 12 S.Ct.
Discussed by	**179. Brief of Appellees City of Burlington, Emmett Helrich, Wade Labrecque** James E. PIETRANGELO, II, Plaintiff - Appellant, v. ALVAS CORP., George Alvanos, Christine Alvanos, Evan Alvanos, John Doe, City of Burlington, Emmett... 2011 WL 3438087, *1+ , 2nd Cir.	Aug. 2011	Brief		8 10 12 S.Ct.
Discussed by	**180. Brief for Defendants-Appellees** Mujahid FARID, Plaintiff-Appellant, v. Daizee BOUEY, Commissioner of the NYC Board of Parole, Vanessa A. Clarke Ms., Commissioner of the NYC Board of ... 2009 WL 8185914, *1+ , 2nd Cir.	Apr. 06, 2009	Brief		—
Discussed by	**181. Appellant's Brief in Chief** Michele OKIN, Plaintiff/Appellant, v. VILLAGE OF CORNWALL-ON-HUDSON POLICE DEPARTMENT, Town of Cornwall Police Department, Rusty O'Dell, Thomas Dougla... 2007 WL 6923217, *6923217+ , 2nd Cir.	Jan. 25, 2007	Brief		8 S.Ct.
Discussed by	**182. Reply Brief of Plaintiff-Appellant** Joseph L., Plaintiff-Appellant, v. CONNECTICUT DEPARTMENT OF CHILDREN AND FAMILIES, Darlene Dunbar, Comm./O, Defendant-Appellee. 2005 WL 5338130, *5338130+ , 2nd Cir.	Jul. 26, 2005	Brief		10 S.Ct.
Discussed by	**183. Principle Brief** David BUSH and Christopher Bush, Appellants, v. S.C. ADAMS, et al., Appellees. 2011 WL 5143878, *1+ , 3rd Cir.	Oct. 22, 2011	Brief		8 S.Ct.
Discussed by	**184. Brief and Appendix for Plaintiffs-Appellants Volume I of II (Pages 1a-32a)** THE CONSTITUTIONAL GUIDED WALKING TOURS; Jonathan H. Bari; Leslie S. Bari, Plaintiffs-Appellants, v. INDEPENDENCE VISITOR CENTER CORPORATION; William ... 2011 WL 3010855, *1+ , 3rd Cir.	Jun. 21, 2011	Brief		3 S.Ct.
Discussed by	**185. Reply Brief on Behalf of Appellants** ESTATE OF OMAYRA SOBERAL, Deceased; Rafael Soberal, Individually and as Administrator ad Prosequendum of The Estate of Omayra Soberal; Giovanni Albert... 2009 WL 7072682, *7072682+ , 3rd Cir.	Feb. 17, 2009	Brief		10 S.Ct.

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Discussed by	**186.** **Brief and Appendix Volume I of III (Pages A1-A49) On Behalf of Appellants** ESTATE OF OMAYRA SOBERAL, Deceased; Rafael Soberal, Individually and as Administrator AD Prosequendum of the Estate of Omayra Soberal; Giovanni Albert... 2008 WL 5609505, *5609505+ , 3rd Cir.	Dec. 09, 2008	Brief		—
Discussed by	**187.** **Brief** Carlin ROBINSON, individually, as Guardian and next Friend of I.Y., M.Y. and A.Y., and as Personal Representative of the Estate of Veronica Williams, ... 2012 WL 5376636, *1+ , 4th Cir.	Nov. 02, 2012	Brief		8 12 S.Ct.
Discussed by	**188.** **Brief** Carlin ROBINSON, individually, as Guardian and next Friend of I.Y., M.Y. and A.Y., and as Personal Representative of the Estate of Veronica Williams, ... 2012 WL 5230313, *1+ , 4th Cir.	Oct. 23, 2012	Brief		8 12 S.Ct.
Discussed by	**189.** **Reply Brief of Appellants** Lucile M. HORNE, et al., Plaintiffs - Appellants, v. MAYOR & CITY COUNCIL OF BALTIMORE, Defendant - Appellee. 2008 WL 4103467, *4103467+ , 4th Cir.	Aug. 26, 2008	Brief		—
Discussed by	**190.** **Brief of the Appellee** Steven ROSENFIELD, et. al., Appellants; v. The Honorable William W. WILKINS, in His Official Position As Chief Judge United States Court of Appeals fo... 2007 WL 551383, *551383+ , 4th Cir.	Feb. 07, 2007	Brief		3 6 S.Ct.
Discussed by	**191.** **Brief of Appellee** Darryl G. DAVIS, Plaintiff- Appellant, v. GEORGE MASON UNIVERSITY, Defendant - Appellee. 2006 WL 1071291, *1071291+ , 4th Cir.	Mar. 29, 2006	Brief		5 8 10 S.Ct.
Discussed by	**192.** **Appellants' Brief** NAZIR CHAUDHARY & DOGWOOD REALTY, INC., Plaintiffs/Appellants, v. Carolynne H. STEVENS, et al., Defendants/Appellees. 2005 WL 3691227, *3691227+ , 4th Cir.	Dec. 05, 2005	Brief		10 S.Ct.
Discussed by	**193.** **Brief of Appellees** Natasha WHITLEY, Plaintiff-Appellant, v. John Nick HANNA; Robert Bullock; Michael Murray; Robert Grubbs, Defendants- Appellees. 2012 WL 5294681, *1+ , 5th Cir.	Oct. 22, 2012	Brief		12 S.Ct.
Discussed by	**194.** **Brief Filed on Behalf of Plaintiff-Appellant** Stephen Rush LINZAY, Plaintiff-Appellant, v. SCHOOL BOARD OF NATCHITOCHES PARISH; Derwood Duke, Individually and In His Official Capacity as Superinte... 2012 WL 5231617, *1+ , 5th Cir.	Oct. 12, 2012	Brief		6 S.Ct.

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Discussed by	**195.** **En Banc Brief of Amici Curiae National School Boards Association, the Texas Association of School Boards Legal Assistance Fund, and the Mississippi Sc...** Jane DOE, a Minor, by and Through Her Next Friends, Daniel Magee and Geneva Magee; Daniel Magee, Individually, and on Behalf of Jane Doe; Geneva Magee... 2011 WL 6980071, *1+ , 5th Cir.	Dec. 30, 2011	Brief		6 S.Ct.
Discussed by	**196.** **Brief for Defendants-Appellees** Gary Patrick NUTALL, Petitioner-Appeallant, v. Claude MAYE, Warden Federal Correctional Institution Bastrop, Respondent-Appellee. Raymond Nutall, Peti... 2011 WL 8582641, *1+ , 5th Cir.	Aug. 15, 2011	Brief		3 5 6 S.Ct.
Discussed by	**197.** **Appellee's Brief of Cypress Forest Public Utility District** KLEINWOOD MUNICIPAL UTILITY DISTRICT, Plaintiff-Appellant, v. CYPRESS FOREST PUBLIC UTILITY DISTRICT, JP/Raveneaux Partners LP, and Kera Development, ... 2009 WL 5422679, *5422679+ , 5th Cir.	Jul. 03, 2009	Brief		5 6 S.Ct.
Discussed by	**198.** **Appellee's Brief of City of Bryan, Texas** Thomas CHAVERS, Sandra Portzer, Brazos Valley Carriage Company, L.P., all American Roadrunners, L.P., and Brazos Valley Roadrunners, L.P., Plaintiffs-... 2009 WL 6297242, *6297242+ , 5th Cir.	Jun. 24, 2009	Brief		5 6 S.Ct.
Discussed by	**199.** **Brief of Appellees** Regina KELLEY, Individually and as Guardian and Next of Friend of Imari Kelley and Jaden Kelley; Byron Hall, Plaintiffs - appellants, v. CITY OF WAKE ... 2007 WL 5129114, *5129114+ , 5th Cir.	Jun. 12, 2007	Brief		7 8 10 S.Ct.
Discussed by	**200.** **Brief of Plaintiffs/Appellants James C. Janosek and Welded Ring Products, Co.** James C. JANOSEK, et al., Plaintiffs/Appellants, v. CITY OF CLEVELAND, et al., Defendants/ Appellees. 2012 WL 5465701, *1+ , 6th Cir.	Nov. 06, 2012	Brief		2 3 S.Ct.
Discussed by	**201.** **Defendants/Appellee Hamilton County's Brief** William R. FRANKLIN, Plaintiff/Appellant, v. CINCINNATI POLICE DEPT., et al, Defendants/ Appellees. 2011 WL 4539132, *1+ , 6th Cir.	Sep. 22, 2011	Brief		2 4 12 S.Ct.
Discussed by	**202.** **Brief of Appellee - City of Flint** The Estate of Leon SMITHERS, by his personal representative, Homer Norris, Jr., Alan Sharp, and Robert Bonner, Plaintiff-Appellants, v. THE CITY OF FL... 2009 WL 8384320, *1+ , 6th Cir.	Aug. 21, 2009	Brief		8 S.Ct.
Discussed by	**203.** **Final Reply Brief of Appellant** Jay S. GUNASEKERA, Ph.D, Plaintiff-Appellant, v. Dennis IRWIN, Ph.D., et al, Defendants-Appellees. 2008 WL 4521643, *4521643+ , 6th Cir.	Apr. 24, 2008	Brief		8 S.Ct.

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Discussed by	**204.** **Final Brief of Defendant/appellant Village of Chagrin Falls** Holly A. CHANDLER, Plaintiff/Appellee, v. THE VILLAGE OF CHAGRIN FALLS, et al., Defendant/Appellant. 2008 WL 2743814, *2743814+ , 6th Cir.	Apr. 01, 2008	Brief		3 6 S.Ct.
Discussed by	**205.** **Final Brief of Appellant** Jay S. GUNASEKERA, Ph.D, Plaintiff-Appellant, v. Dennis IRWIN, Ph.D., et al., Defendants-Appellees. 2007 WL 5580902, *5580902+ , 6th Cir.	2007	Brief		6 S.Ct.
Discussed by	**206.** **Reply Brief of the Appellants, Officer Joe Owen and Officer John Morris** Justin HUDSON, Surviving Child of Jennifer Braddock, Deceased, by his next friend (Guardian) Pamela Davis; Pamela Davis, Plaintiffs - Appellees, v. Su... 2006 WL 3846252, *3846252+ , 6th Cir.	Jul. 21, 2006	Brief		7 8 10 S.Ct.
Discussed by	**207.** **Final Reply Brief for Plaintiff-Appellant** Christy CALDWELL, Administratrix of the Estate of Rebecca Cay Caldwell, Deceased, Plaintiff-Appellant, v. CITY OF LOUISVILLE, Defendant-Appellee. 2006 WL 2617740, *2617740+ , 6th Cir.	Jan. 18, 2006	Brief		6 12 S.Ct.
Discussed by	**208.** **Final Brief for Plaintiff-Appellant** Christy CALDWELL, Administratrix of the Estate of Rebecca Cay Caldwell, Deceased, Plaintiff-Appellant, v. CITY OF LOUISVILLE, Defendant-Appellee. 2006 WL 2617741, *2617741+ , 6th Cir.	Jan. 18, 2006	Brief		12 S.Ct.
Discussed by	**209.** **Final Brief of Defendant-Appellant City of Memphis** Aundrey MEALS, Individually and as wife and next friend of James Harvey Meals, deceased, and as natural parent, guardian and next friend of William Me... 2005 WL 4781972, *4781972+ , 6th Cir.	Nov. 10, 2005	Brief		10 S.Ct.
Discussed by	**210.** **Appellant's Final Reply Brief** Heral HOWARD, as Administrator of the Estate of Tammy Howard, Plaintiff-Appellant, v. Paul BAYES, Individually; Pat Montgomery, Individually; Magoffin... 2005 WL 6066085, *6066085+ , 6th Cir.	Sep. 01, 2005	Brief		7 8 S.Ct.
Discussed by	**211.** **Reply Brief of State Defendants-Appellants** Stephanie Jane BOND, Plaintiff-Appellee, v. Illinois State Master Sergeant Michael R. ATKINSON, No. 3322; Illinois State Special Agent Kim A. Cessna, ... 2012 WL 3560719, *1+ , 7th Cir.	Aug. 08, 2012	Brief		—
Discussed by	**212.** **Plaintiff-Appellee's Answering Brief** Stephanie J. BOND, Plaintiff-Appellee, v. Michael R. ATKINSON; Kim A. Cessna; Robert Kotcher; James C. Morrissey; Troy R. Phillips; Dan Walsh; David A... 2012 WL 2885062, *1+ , 7th Cir.	Jun. 28, 2012	Brief		—
Discussed by	**213.** **Plaintiff-Appellee's Answering Brief** Stephanie J. BOND, Plaintiff-Appellee, v. Michael R. ATKINSON; Kim A. Cessna; Robert Kotcher; James C. Morrissey; Troy R. Phillips; Dan Walsh; David A... 2012 WL 2885065, *1+ , 7th Cir.	Jun. 28, 2012	Brief		—

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Discussed by	**214.** **Appellant's Reply Brief** Robert BROWN, Appellant (Plaintiff below), v. CITY OF MICHIGAN CITY, Indiana, Appellee (Defendant below). 2005 WL 3749793, *3749793+ , 7th Cir.	Dec. 27, 2005	Brief		10 S.Ct.
Discussed by	**215.** **Brief of Appellee** Robert BROWN, Plaintiff/Appellant, v. MICHIGAN CITY, Indiana, Defendant/Appellee. 2005 WL 3749792, *3749792+ , 7th Cir.	Dec. 12, 2005	Brief		7 8 10 S.Ct.
Discussed by	**216.** **Appellant's Brief** Joseph Van ZEE, Appellant, v. Marilyn HANSON, individually, Appellee. 2010 WL 2625038, *2625038+ , 8th Cir.	Jun. 16, 2010	Brief		5 6 S.Ct.
Discussed by	**217.** **Appellants' Opening Brief** Brian HODAK, et al., Plaintiffs/Appellees, v. CITY OF ST. PETERS, et al., Defendants/Appellants. 2007 WL 4702253, *4702253+ , 8th Cir.	Aug. 29, 2007	Brief		8 10 S.Ct.
Discussed by	**218.** **Answering Brief of Appellees** John Christopher ANDERSEN, Plaintiff/Appellant, v. John HELZER, et al., Defendants/Appellees. 2012 WL 5493134, *1+ , 9th Cir.	Nov. 02, 2012	Brief		2 4 S.Ct.
Discussed by	**219.** **Appellee's Answering Brief** David COOPER, dba Sextasy, dba Show and Tell; et. al., Plaintiffs-Appellants, v. CLARK COUNTY NEVADA; et. al., Defendants-Appellees. 2012 WL 5387261, *1+ , 9th Cir.	Oct. 24, 2012	Brief		2 3 5 S.Ct.
Discussed by	**220.** **Appellant Bill Young's Opening Brief** Chrissy Israel MAZZEO, Plaintiff - Appellee, v. Bill YOUNG; et al., Defendants - Appellants. 2012 WL 1667916, *1+ , 9th Cir.	Apr. 30, 2012	Brief		12 S.Ct.
Discussed by	**221.** **Appellant Clark County's Opening Brief** FISHER SAND & GRAVEL, Plaintiff-Appellee, v. LAS VEGAS PAVING CORPORATION, Defendant-Appellant, Clark County, Nevada, Defendant-Appellant. 2010 WL 6039397, *6039397+ , 9th Cir.	Jul. 01, 2010	Brief		—
Discussed by	**222.** **Response and Reply Brief for Plaintiffs / Appellants-Appellees** Lilian S. ILETO; Joshua Stepakoff; Mindy Gale Finkelstein; Benjamin Kadish; and Nathan Lawrence Powers, Plaintiffs-Appellants, v. RSR MANAGEMENT CORPO... 2007 WL 4856702, *4856702+ , 9th Cir.	Dec. 21, 2007	Brief		7 8 10 S.Ct.
Discussed by	**223.** **Brief for Appellee-Intervenor United States of America** Lilian S. ILETO, et al., Plaintiffs-Appellants, v. GLOCK, INC., et al., Defendants-Appellees. 2007 WL 4688908, *4688908+ , 9th Cir.	Nov. 21, 2007	Brief		4 6 S.Ct.
Discussed by	**224.** **Brief of Appellees** James THOMAS, Plaintiff-Appellant, v. CITY OF TALENT, an Oregon municipal corporation, Robert Rector and Jeff Price, individually, and as employe's of... 2007 WL 1032512, *1032512+ , 9th Cir.	Feb. 28, 2007	Brief		1 2 S.Ct.

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Discussed by	**225.** **Opening Brief of Appellants** Craig Arthur HUMPHRIES and Wendy Dawn Aborn Humphries, Plaintiffs-Appellants, v. LOS ANGELES COUNTY; Leroy D. Baca individually and in his official ca... 2006 WL 3380799, *3380799+ , 9th Cir.	Oct. 13, 2006	Brief		8 S.Ct.
Discussed by	**226.** **Reply Brief of Appellants** Pamela THOMPSON, an Individual, and as Guardian of Gabriella Thompson, Matthew Thompson, Marcus Thompson, Michael Thompson; and the Thompson Group, P.... 2006 WL 3380764, *3380764+ , 9th Cir.	Oct. 11, 2006	Brief		7 S.Ct.
Discussed by	**227.** **Appellants' Reply Brief** SEVEN UP PETE VENTURE, an Arizona General Partnership, d/b/a Seven Up Pete Joint Venture, Canyon Resources Corporation, a Delaware Corporation, Jean M... 2006 WL 3368627, *3368627+ , 9th Cir.	Sep. 01, 2006	Brief		7 S.Ct.
Discussed by	**228.** **Appellants' Opening Brief** Paul BORDE and Forrest Bostick, Plaintiffs/ Appellants, v. BOARD OF COUNTY COMMISSIONERS OF LUNA COUNTY, New Mexico, and John Sutherland, R. Javier Dia... 2012 WL 1494181, *1+ , 10th Cir.	Apr. 23, 2012	Brief		3 5 S.Ct.
Discussed by	**229.** **Brief for the Intervenor-Appellee United States of America** SECURITIES AND EXCHANGE COMMISSION, Plaintiff, v. MERRILL SCOTT & ASSOCIATES, LTD, et al., Defendants. UNITED STATES OF AMERICA, Intervenor - Appellee... 2009 WL 129579, *129579+ , 10th Cir.	Jan. 05, 2009	Brief		8 S.Ct.
Discussed by	**230.** **Defendants-Appellants' Brief** GLOVER CONSTRUCTION COMPANY, et al., Plaintiffs-Appellees, v. Carlisle MABREY, III, et al., Defendants-Appellants. 2008 WL 2557690, *2557690+ , 10th Cir.	Jun. 19, 2008	Brief		—
Discussed by	**231.** **Joint Brief of Appellees** Marlene MOORE, Patrick Richard Moore, et al., Plaintiffs/Appellants, v. BOARD OF COUNTY COMMISSIONERS OF THE COUNTY OF LEAVENWORTH, et al., Defendants... 2007 WL 2210593, *2210593+ , 10th Cir.	Jun. 05, 2007	Brief		3 5 S.Ct.
Discussed by	**232.** **Appellants' Brief** Marlene MOORE, Patrick Richard Moore, and the Estate of Jared Michael Moore, by and through its Executrix, Marlene Moore, Appellants, v. THE BOARD OF ... 2007 WL 1707149, *1707149+ , 10th Cir.	May 02, 2007	Brief		7 8 10 S.Ct.
Discussed by	**233.** **Brief of Defendants-Appellees** Harvey Frank ROBBINS, Plaintiff-Appellee, v. UNITED STATES BUREAU OF LAND MANAGEMENT, an Agency of the United States Department of Interior; Gale Nort... 2005 WL 3657913, *3657913+ , 10th Cir.	Nov. 21, 2005	Brief		3 S.Ct.

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Discussed by	**234.** **Greater Yellowstone Coalition, et al. Answer Brief** State of Wyoming, Wyoming Wool Growers, et al., and the County of Park, Plaintiff/Appellants, v. UNITED STATES DEPARTMENT OF THE INTERIOR, et al., Def... 2005 WL 4976500, *4976500+ , 10th Cir.	Aug. 18, 2005	Brief		—
Discussed by	**235.** **Greater Yellowstone Coalition, et al. Answer Brief** State of Wyoming, Wyoming Wool Growers, et al., and the County of Park, Plaintiff/Appellants, v. UNITED STATES DEPARTMENT OF THE INTERIOR, et al., Def... 2005 WL 3077406, *3077406+ , 10th Cir.	Aug. 08, 2005	Brief		7 8 S.Ct.
Discussed by	**236.** **Brief of Appellees Alcatel-Lucent, S.A. et al.** Instituto Costarricense de ELECTRICIDAD, Appellant, v. UNITED STATES OF AMERICA, Alcatel-Lucent, S.A.; Alcatel-Lucent France, S.A.; Alcatel-Lucent Tra... 2012 WL 764743, *1+ , 11th Cir.	Mar. 05, 2012	Brief		3 12 S.Ct.
Discussed by	**237.** **Brief of Appellees Alcatel-Lucent, S.A. et al.** INSTITUTO COSTARRICENSE DE ELECTRICIDAD, Appellant, v. UNITED STATES OF AMERICA ALCATEL-LUCENT, S.A.; Alcatel-Lucent France, S.A.; Alcatel-Lucent Trad... 2012 WL 1074633, *1+ , 11th Cir.	Mar. 05, 2012	Brief		2 3 12 S.Ct.
Discussed by	**238.** **Initial Briefof Plaintiffs-Appellants** CRYSTAL DUNES OWNERS' ASSOCIATION, INC., et al., Plaintiffs-Appellants, v. CITY OF DESTIN, FLORIDA, et al., Defendants-Appellees. 2011 WL 6319227, *1+ , 11th Cir.	Nov. 14, 2011	Brief		8 S.Ct.
Discussed by	**239.** **LIBERTY GROUP ENTERPRISES, et al, v. Roger GARRISON, et al.** 2005 WL 4662722, *4662722+ , 11th Cir.	Aug. 02, 2005	Brief		8 S.Ct.
Discussed by	**240.** **Brief of Appellees** LIBERTY GROUP ENTERPRISES, INC., et al., Plaintiffs-Appellants, v. Roger GARRISON, et al., Defendants-Appellees. 2005 WL 4662721, *4662721+ , 11th Cir.	Jul. 18, 2005	Brief		5 S.Ct.
Discussed by	**241.** **Final Brief of Respondents** HONEYWELL INTERNATIONAL, INC., et al. Petitioners, v. UNITED STATES ENVIRONMENTAL PROTECTION AGENCY, et al., Respondents. 2012 WL 1134018, *1+ , D.C.Cir.	Apr. 04, 2012	Brief		3 5 6 S.Ct.
Discussed by	**242.** **Brief of Respondents** HONEYWELL INTERNATIONAL, INC., et al. Petitioners, v. UNITED STATES ENVIRONMENTAL PROTECTION AGENCY, et al., Respondents. 2012 WL 274292, *1+ , D.C.Cir.	Jan. 30, 2012	Brief		3 5 6 S.Ct.
Discussed by	**243.** **Brief for the Appellees** Roy L. PEARSON, Jr., Appellant, v. DISTRICT OF COLUMBIA, Tyrone T. Butler, Peter M. Willner, Robert R. Rigsby, Anita Josey-Herring, George C. Valentin... 2010 WL 4822454, *4822454+ , D.C.Cir.	Mar. 24, 2010	Brief		—

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Discussed by	**244.** **Brief of Appellants, Vietnam Veterans of America and Veterans of Modern Warfare** VIETNAM VETERANS OF AMERICA AND VETERANS OF MODERN WARFARE, Appellants, v. Eric B. SHINSEKI, In His Official Capacity as Secretary of the Department o... 2009 WL 6931514, *6931514+ , D.C.Cir.	Nov. 23, 2009	Brief		3 S.Ct.
Discussed by	**245.** **Appellant's Reply Brief** Menachem Binyamin ZIVOTOFSKY, by his parents and guardians, Ari Z. and Naomi Siegman Zivotofsky, Plaintiff-Appellant, v. THE SECRETARY OF STATE, Defen... 2008 WL 2756231, *2756231+ , D.C.Cir.	Apr. 21, 2008	Brief		7 8 10 S.Ct.
Discussed by	**246.** **Brief of the Superior Court Judge Appellants** THE HONORABLE RUFUS G. KING, III; as Chief Judge of the Superior Court of the District of Columbia, et al., Appellants, v. Pamela H. ROTH, Esq., et al... 2006 WL 6589427, *6589427+ , D.C.Cir.	Feb. 21, 2006	Brief		10 S.Ct.
Discussed by	**247.** **Reply and Opposition Brief of Appellants/ Cross-Appellees the Superior Court Judges** The Honorable Rufus G. KING, III; as Chief Judge of the Superior Court of the District of Columbia, et al., Appellants/Cross-Appellees, v. Pamela H. R... 2006 WL 6589428, *6589428+ , D.C.Cir.	Feb. 21, 2006	Brief		5 8 S.Ct.
Discussed by	**248.** **Reply and Opposition Brief of Appellants/ Cross-Appellees the Superior Court Judges** The Honorable Rufus G. KING, III; as Chief Judge of the Superior Court of the District of Columbia, et al., Appellants/Cross-Appellees, v. Pamela H. R... 2006 WL 338633, *338633+ , D.C.Cir.	Jan. 31, 2006	Brief		5 8 S.Ct.
Discussed by	**249.** **Brief of the Superior Court Judge Appellants** The Honorable Rufus G. KING, III; as Chief Judge of the Superior Court of the District of Columbia, et al., Appellants, v. Pamela H. ROTH, Esq., et al... 2006 WL 338636, *338636+ , D.C.Cir.	Jan. 31, 2006	Brief		10 S.Ct.
Discussed by	**250.** **Brief of the Superior Court Judge Appellants** The Honorable Rufus G. KING, III; as Chief Judge of the Superior Court of the District of Columbia, et al., Appellants, v. Pamela H. ROTH, Esq., et al... 2005 WL 2376595, *2376595+ , D.C.Cir.	Sep. 26, 2005	Brief		5 S.Ct.
Discussed by	**251.** **Brief of Appellee/Defendant** Mary S. DOWNING, individually, and as Administratrix of the Estate of Larry Downing, Deceased, Appellant/Plaintiff, v. CITY OF DOTHAN, Appellee/Defend... 2010 WL 3114182, *3114182+ , Ala.	Jun. 23, 2010	Brief		8 S.Ct.
Discussed by	**252.** **Appellee's Answering Brief** Roger SENSING, a resident and citizen of the State of Arizona, Appellant/Plaintiff, v. Jack F. HARRIS, in his official capacity as Chief of Police of ... 2007 WL 7286149, *7286149+ , Ariz.App. Div. 1	Jun. 04, 2007	Brief		—

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Discussed by	**253.** **Appellant's Opening Brief** Maurice LEE, Carrie Christian and Nicholas Christian, minors, by and through their guardian ad litem, Rosalyn Lee Basemore, Plaintiffs and Respondents... 2005 WL 3967349, *3967349+ , Cal.App. 1 Dist.	Oct. 28, 2005	Brief		7 8 S.Ct.
Discussed by	**254.** **Appellants' Opening Brief** COMMUNITY YOUTH ATHLETIC CENTER, Plaintiff, Respondent and Cross-Appellant, v. CITY OF NATIONAL CITY and National City Community Development Commissio... 2012 WL 5024330, *1+ , Cal.App. 4 Dist.	Sep. 20, 2012	Brief		3 6 11 S.Ct.
Discussed by	**255.** **Appellant's Reply Brief** Delores AUTOBEE, et al., Appellant-Plaintiffs, v. COLORADO DEPARTMENT OF CORRECTIONS, et al., Appellee-Defendants. 2007 WL 4264670, *4264670+ , Colo.App.	Oct. 22, 2007	Brief		8 10 S.Ct.
Discussed by	**256.** **Answer Brief** Delores AUTOBEE, Mother of Eric J. Autobee, Deceased; Robert Autobee, Father of Eric J. Autobee, Deceased; Estate of Eric J. Autobee by and through Ro... 2007 WL 3068577, *3068577+ , Colo.App.	Sep. 13, 2007	Brief		7 8 10 S.Ct.
Discussed by	**257.** **Brief of the Defendants-Appellees, Town of Vernon, et al Appendix Field Separately** Dorothy ALEXANDER, et al, v. TOWN OF VERNON, et al. 2006 WL 4498576, *4498576+ , Conn.App.	Jul. 20, 2006	Brief		8 S.Ct.
Discussed by	**258.** **Answer Brief** Anna CHANDLER, William Lanagan, Charles F. Van Deusen, Karen Whitehead, and Erna Yockl, Appellants, v. THE CITY OF DELRAY BEACH and Linda Marks, Appel... 2009 WL 2626508, *2626508+ , Fla.App. 4 Dist.	Jul. 02, 2009	Brief		—
Discussed by	**259.** **Answer Brief** IDA MONTENERO, Bill Jozwiak and Sylvia Jozwiak, Appellants, v. Linda MARKS, et al, Appellees. 2008 WL 3849563, *3849563+ , Fla.App. 4 Dist.	Jul. 02, 2008	Brief		—
Discussed by	**260.** **Answer Brief** Veronica L. BOYS, Appellant, v. Linda MARKS, et al, Appellees. 2008 WL 3849562, *3849562+ , Fla.App. 4 Dist.	Jul. 01, 2008	Brief		—
Discussed by	**261.** **Brief of Plaintiff-Appellee** Melissa MOORE, as Independent Administrator of the Estate of Ronyale White, Deceased, Plaintiff-Appellee, v. CHICAGO POLICE DEPARTMENT OFFICER CHRISTO... 2005 WL 4814864, *4814864+ , Ill.	Aug. 10, 2005	Brief		8 S.Ct.
Discussed by	**262.** **Supplemental Brief on Behalf of the Denham Springs Economic Development District** DENHAM SPRINGS ECONOMIC DEVELOPMENT DISTRICT, v. ALL TAXPAYERS, Property Owners, Citizens of the Denham Springs Economic Development District, and Non... 2005 WL 4798116, *4798116+ , La.	Aug. 25, 2005	Brief		8 S.Ct.

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Discussed by	**263.** **Brief of Amicus Curiae Commonwealth of Massachusetts** Elizabeth MANCUSO and Stanice Mancuso, As Mother and Next Friend of Elizabeth Mancuso, Appellants, v. MASSACHUSETTS INTERSCHOLASTIC ATHLETIC ASSOCIATI... 2008 WL 4336077, *4336077+ , Mass.	Jun. 27, 2008	Brief		6 S.Ct.
Discussed by	**264.** **Brief for Appellants** Elizabeth MANCUSO and Stanice Mancuso, as Mother and Next Friend of Elizabeth Mancuso, Appellants, v. MASSACHUSETTS INTERSCHOLASTIC ATHLETIC ASSOCIATI... 2007 WL 5517510, *5517510+ , Mass.	Aug. 24, 2007	Brief		4 S.Ct.
Discussed by	**265.** **Brief for Appellants** Elizabeth MANCUSO and Stanice Mancuso, as Mother and Next Friend of Elizabeth Mancuso, Appellants, v. MASSACHUSETTS INTERSCHOLASTIC ATHLETIC ASSOCIATI... 2007 WL 2699338, *2699338+ , Mass.App.Ct.	Aug. 24, 2007	Brief		4 6 S.Ct.
Discussed by	**266.** **Brief of Appellees** Alice MCNACK, et. al., Appellants, v. STATE OF MARYLAND, et. al., Appellees. 2007 WL 510107, *510107+ , Md.	Jan. 19, 2007	Brief		8 10 12 S.Ct.
Discussed by	**267.** **Brief of Victim** Arne OLSEN, Victim, v. STATE OF MARYLAND and Raymond Lamar Bosley, Appellees. 2011 WL 3603009, *1+ , Md.App.	May 03, 2011	Brief		2 3 4 S.Ct.
Discussed by	**268.** **Brief of Appellees Sheri Tyler, Jamie Lovelace, Mary Sommers, Rhoda Dietrich, Marianna Udow, Laura Champagne, Ted Forrest, State of Michigan Departmen...** Rebecca JASINSKI, as the Personal Representative of the Estate of Nicholas Daniel Braman, deceased, Plaintiff-Appellant, v. Sheri TYLER, Jamie Lovelac... 2011 WL 7645985, *1+ , Mich.App.	Aug. 16, 2011	Brief		1 3 S.Ct.
Discussed by	**269.** **Brief of Appellees Patricia Skelding, Cynthia Bare, Marianna Udow, Laura Champagne, Ted Forest, State of Michigan Department of Human Services, d/b/a ...** Susan LANGDON, as Personal Representative of the Estate of Calista Springer, Deceased, Plaintiff-Appelant., v. Patricia SKELDING, Cynthia Bare, Marian... 2011 WL 7645987, *1+ , Mich.App.	Aug. 16, 2011	Brief		1 3 S.Ct.
Discussed by	**270.** **Defendants-Appellants' Brief** VERNETTA MARIE COCKERHAM-ELLERBEE, Individually and as Admitnistratrix Of the Estate of Candice Cockerham, Plaintiff-Appellee, v. The Town of Jonesvil... 2005 WL 1841130, *1841130+ , N.C.App.	Jul. 19, 2005	Brief		8 S.Ct.
Discussed by	**271.** **Brief of Amici Curiae New York City Bar Association, American Civil Liberties Union, Empire Justice Center, Inc., My Sisters' Place, Inc., New York Le...** Carmen VALDEZ, Individually and as Mother and Natural Guardian of Ceasar Marti and Ariel Marti, Plaintiffs-Appellants, v. THE CITY OF NEW YORK and Jos... 2011 WL 5920358, *1+ , N.Y.	Jul. 18, 2011	Brief		8 S.Ct.

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Discussed by	**272.** **Brief of Appellees** Dr. Truett L. MADDOX, D.D.S. and Berry H. Edwards, Trustee, Appellants, v. MESA HILLS MALL COMPANY LIMITED PARTNERSHIP, a Texas Limited Partnership, e... 2005 WL 2010333, *2010333+ , Tex.App.-El Paso	Jul. 05, 2005	Brief		9 S.Ct.
Discussed by	**273.** **Brief of Appellees Robert Crank, Robert Christian, Leslie Crane, Allen Hardin, and Robert Young** Reginald Dale PETERS, Appellant, v. Robert CRANK, David Conway, Robert Christian, Leslie Crane, Ralph H. Walton, Jr., Allen Hardin, Robert Young, FBI ... 2008 WL 6136405, *6136405+ , Tex.App.-Fort Worth	Apr. 27, 2008	Brief		—
Discussed by	**274.** **Brief of Appellees Larry Gowin, Robert Young, Allen Hardin, and Robert Christian** Reginald Dale PETERS, Appellant, v. Larry GOWIN, David Conway, Robert Young, Allen Hardin, and Robert Christian, Appellees. 2008 WL 6136406, *6136406+ , Tex.App.-Fort Worth	Apr. 27, 2008	Brief		—
Discussed by	**275.** **Brief of Appellees Messina, Conner, Watson, Christian, East, Hardin, Crank, Young, Millsap, Rose, and Miller** Reginald Dale PETERS, Appellant, v. Vincent MESSINA, Stuart Neal, Kelton Conner, Judy Watson, Robert Christian, J.L. East, Allen Hardin, Robert Crank,... 2008 WL 6136407, *6136407+ , Tex.App.-Fort Worth	Apr. 27, 2008	Brief		—
Discussed by	**276.** **Brief of Appellees J.E. Mayo and Robert Christian** Reginald Dale PETERS, Appellant, v. Greg ABBOTT, J.E. Mayo, and Robert Christian, Appellees. 2008 WL 6136408, *6136408+ , Tex.App.-Fort Worth	Apr. 27, 2008	Brief		—
Discussed by	**277.** **Brief of Appellees Clint Pullman, Robert Crank, Allen Hardin, and Robert Christian** Reginald Dale PETERS, Appellant, v. Clint PULLMAN, Robert Crank, Allen Hardin, and Robert Christian, Appellees. 2002 WL 34485260, *34485260+ , Tex.App.-Fort Worth	2002	Brief		—
Discussed by	**278.** **Demurrer of Defendant City of Beverly Hills to Plaintiff Ami Shafrir's Second Amended Complaint** In Re: PELLICANO CASES. Ami SHAFRIR, Plaintiff, v. PACIFIC BELL TELEPHONE CO., which does business as AT&T, California, Anthony Pellicano, City of Bev... 2008 WL 7171885, *7171885+ , Cal.Super.	Dec. 24, 2008	Petition		8 10 12 S.Ct.
Discussed by	**279.** **Motion for Summary Judgment of Defendants, City of Phoenix and Fragoso** Jose Torres RODRIGUEZ, Plaintiff, v. CITY OF PHOENIX, et al, Defendants. 2006 WL 3611595, *3611595+ , D.Ariz.	Oct. 13, 2006	Motion		7 8 10 S.Ct.

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Discussed by	**280. Defendant Federal National Mortgage Association's Motion to Dismiss First Amended Class Action Complaint; Memorandum of Law** Jose Luis ROSAS; Steven Zivanic; Yvonne Zivanic; Fernando Hinnaoui; Martha V. Hinnaoui; Sandra Enshiwat; Ali Reza Amirjalaly; Kian Kamrani on behalf o... 2012 WL 604790, *1+ , C.D.Cal.	Jan. 05, 2012	Motion		4 S.Ct.
Discussed by	**281. Defendant Federal National Mortgage Association's Motion to Dismiss the Complaint; Memorandum of Law** Jose Luis ROSAS; Steven Zivanic; Yvonne Zivanic; Fernando Hinnaoui; Martha V. Hinnaoui; Sandra Enshiwat; Ali Reza Amirjalaly; Kian Kamrani on behalf o... 2011 WL 5884964, *1+ , C.D.Cal.	Oct. 13, 2011	Motion		4 S.Ct.
Discussed by	**282. Memorandum of Points and Authorities in Support of Motion to Dismiss Complaint, or in the Alternative, Motion for More Definite Statement (Fed. R. Civ...** Betty HARMON, Plaintiff, v. CITY OF FRESNO, County of Fresno, et al. and DOES 1 through 100, Defendants. 2008 WL 7242236, *7242236+ , E.D.Cal.	Sep. 08, 2008	Motion		8 10 12 S.Ct.
Discussed by	**283. Plaintiff's Memorandum of Points and Authorities in Support of Opposition to Defendants' Motion for Summary Judgment** Judith BRACAMONTE, Plaintiff, v. THE PROBATION DEPARTMENT OF THE COUNTY OF SACRAMENTO; Verne L. Speirs, Chief; Shawn Ayala, Supervisor of Florin-Perki... 2008 WL 894042, *894042+ , E.D.Cal.	Jan. 11, 2008	Motion		4 8 10 S.Ct.
Discussed by	**284. Defendant City of San Diego's Reply to Plaintiff's Opposition To City's Motion to Dismiss Plaintiff's First Amended Complaint** Hans S. CROTEAU, Plaintiff, v. The State of California, the City of San Diego; Bennett Goodman; Mike W. Vaughn; Robert Velasquez, Defendants. 2007 WL 4597322, *4597322+ , S.D.Cal.	Oct. 29, 2007	Motion		—
Discussed by	**285. Defendants' Motion for Summary Judgment** William R. SHERMAN, Jr., Plaintiff(s), v. Sheriff William FRANGIS, in his Individual and Official Capacity; and Elbert County Sheriff's Department, El... 2009 WL 2428893, *2428893+ , D.Colo.	May 29, 2009	Motion		6 8 10 S.Ct.
Discussed by	**286. Defendants' Reply to Plaintiff's Response to Defendants' Motion to Dismiss** Nima DAIVARI, Plaintiff, v. DENVER POLICE DEPARTMENT, Gerald R. Whitman, Chief of Police, Denver Police Department, Richard Boehnlein, Officer Denver ... 2008 WL 7183166, *7183166+ , D.Colo.	Jun. 23, 2008	Motion		8 S.Ct.
Discussed by	**287. Defendants' Motion to Dismiss** Nima DAIVARI, Plaintiff, v. CITY AND COUNTY OF DENVER, Gerald R. Whitman, Chief of Police, Denver Police Department, and Richard Boehnlein, Officer, D... 2008 WL 7183164, *7183164+ , D.Colo.	May 06, 2008	Motion		8 S.Ct.

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Discussed by	**288.** **Memorandum of Law in Support of the Plaintiffs' Objection to the Defendants' Motion for Summary Judgment** Ayfer KAYA, et al, Plaintiffs, v. THE CITY OF NEW LONDON, et al, Defendants. 2007 WL 4448198, *4448198+ , D.Conn.	Aug. 06, 2007	Motion		10 S.Ct.
Discussed by	**289.** **Memorandum of Law in Support of Motion to Dismiss by Defendants Federal National Mortgage Association, Michael J. Williams, and Eric Schuppenhauer** Doreen EDWARDS, Olubukola Keshniro, Garry Brewster, Maria and Thomas Vellucci, individually and on behalf of all other persons similarly situated, Pla... 2010 WL 943491, *943491+ , D.D.C.	Jan. 25, 2010	Motion		8 S.Ct.
Discussed by	**290.** **Memorandum of Law in Support of Defendant Edward Demarco's Motion to Dismiss the Plaintiffs' Class Action Complaint** Doreen EDWARDS, et al., Plaintiffs, v. AURORA LOAN SERVICES, LLC, et al., Defendants. 2010 WL 943492, *943492+ , D.D.C.	Jan. 25, 2010	Motion		2 5 S.Ct.
Discussed by	**291.** **Plaintiff's Opposition to Defendants District of Columbia and Gayle Turner's Motion for Judgment on the Pleadings or, in the Alternative, for Summary ...** Annette Gregory BARNES, et al., Plaintiff, v. DISTRICT OF COLUMBIA, et al., Defendants. 2005 WL 2095911, *2095911+ , D.D.C.	Jul. 29, 2005	Motion		—
Discussed by	**292.** **Plaintiff's Opposition to Defendants District of Columbia and Gayle Turner's Motion for Judgment on the Pleadings or, in the Alternative, for Summary ...** Christi JOHNSON, Individually, and as Personal Representative of the Estate of Tyrone David Christian, Plaintiff, v. THE DISTRICT OF COLUMBIA, et al.,... 2005 WL 2095913, *2095913+ , D.D.C.	Jul. 29, 2005	Motion		—
Discussed by	**293.** **Plaintiff's Opposition to Defendants District of Columbia and Gayle Turner's Motion for Judgment on the Pleadings or, in the Alternative, for Summary ...** Viva WHITEING, Individually, and as Next Friend of Kyree and Keith Whiteing and as Personal Representative of the Estate of Wesley Whiteing, Plaintiff... 2004 WL 3507152, *3507152+ , D.D.C.	Jul. 29, 2004	Motion		—
Discussed by	**294.** **Defendant's Memorandum in Support of Her Motion for Summary Judgment** Sarah LOCKE, Plaintiff, v. Sherrie D. TAYLOR, individually and in her capacity as Mayor of the City of Quincy, Florida, Defendant. 2008 WL 7182670, *7182670+ , N.D.Fla.	Feb. 13, 2008	Motion		8 10 11 S.Ct.
Discussed by	**295.** **The Harvey Defendants' Memorandum in Support of Their Motion to Dismiss** JANE DOE II and Jane Doe III, a minor by and through her mother as next friend, for themselves individually and on behalf of others similarly situated... 2012 WL 3452154, *1+ , N.D.Ill.	Aug. 06, 2012	Motion		1 5 12 S.Ct.

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Discussed by	**296.** **Plaintiff's Response in Opposition to Defendant's Motion to Dismiss with Prejudice Pursuant to Federal Rule of Civil Procedure 12 (b)(6)** Peter (Pete) DEMOS, Plaintiff, v. CHICAGO TRANSIT AUTHORITY, Defendant. 2008 WL 7255998, *7255998+ , N.D.Ill.	Sep. 22, 2008	Motion		8 10 S.Ct.
Discussed by	**297.** **Defendant Amy Mogelberg's Memorandum in Support of Her Motion to Dismiss Plaintiff's Third Amended Complaint** Raquel RODRIGUEZ, Plaintiff, v. Jose BARRERA, the City of Chicago, & the Following Members of the Chicago Police Department: George Quinones, Amy Moge... 2007 WL 3264403, *3264403+ , N.D.Ill.	Sep. 27, 2007	Motion		—
Discussed by	**298.** **Plaintiffs' Reply Memorandum in Support of Motion to Certify Question of State Law to the Indiana Supreme Court and to Stay State-Law Claims Pending D...** Brandi POWERS on Behalf of Herself And All Others Similarly Situated, Plaintiff, v. CENTENNIAL COMMUNICATIONS CORP., Defendant. 2009 WL 4067763, *4067763+ , N.D.Ind.	Feb. 27, 2009	Motion		7 S.Ct.
Discussed by	**299.** **Plaintiff's Memorandum in Support of Motion to Certify Question of State Law to the Indiana Supreme Court and to Stay State-Law Claims Pending Decisio...** Brandi POWERS on Behalf of Herself And All Others Similarly Situated, Plaintiff, v. CENTENNIAL COMMUNICATIONS CORP., Defendant. 2009 WL 4067757, *4067757+ , N.D.Ind.	Jan. 26, 2009	Motion		7 S.Ct.
Discussed by	**300.** **Memorandum of Law in Support of Motion to Dismiss Certain Claims** Jamie WEDDLE, Plaintiff, v. Troy THOMAS and the Monroe County Sheriff's Department, Defendants. 2007 WL 2677854, *2677854+ , S.D.Ind.	Jul. 24, 2007	Motion		7 8 S.Ct.
Discussed by	**301.** **Memorandum in Support of Defendant Pase's Motion for Summary Judgment** Danielle RHOTEN, and Xavier Rhoten (Deceased), by and through his Heir-at-Law, Danielle Rhoten, Plaintiffs, v. Bruce DICKSON IV, and Frank Pase, as an... 2005 WL 2096709, *2096709+ , D.Kan.	Jul. 12, 2005	Motion		—
Discussed by	**302.** **Memorandum in Support of Defendants' Expedited Motion: (A) to Alter, Pursuant to Fed. R. Civ. P. 59(e), the June 13, 2007 Order Granting Plaintiffs' M...** Diane RIDGELY, et al., Plaintiffs, v. FEDERAL EMERGENCY MANAGEMENT AGENCY, et al., Defendants. 2006 WL 5155899, *5155899+ , E.D.La.	Jun. 27, 2006	Motion		—
Discussed by	**303.** **Memorandum in Support of County Commissioners of Worcester County's Motion to Dismiss** Timothy O'SHEA, et al., Plaintiffs, v. COUNTY COMMISSIONERS OF WORCESTER COUNTY, et al., Defendants. 2006 WL 2727370, *2727370+ , D.Md.	2006	Motion		—

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Discussed by	**304. Defendant Murphree and Walker's Second Renewed Motion for Summary Judgment** ESTATE OF LEON SMITHERS, by his Personal Representative, Homer Norris, Jr. And Alan Sharp and Robert Bonner, Plaintiffs, v. CITY OF FLINT, Officer Ter... 2007 WL 1569209, *1569209+ , E.D.Mich.	Apr. 16, 2007	Motion		—
Discussed by	**305. Defendant Murphree and Walker's Renewed Motion for Summary Judgment** Estate of Leon SMITHERS, by his Personal Representative, Homer Norris, Jr. And Alan Sharp and Robert Bonner, Plaintiffs, v. CITY OF FLINT, Officer Ter... 2007 WL 1316762, *1316762+ , E.D.Mich.	Mar. 22, 2007	Motion		—
Discussed by	**306. Defendant Murphree and Walker's Motion for Summary Judgment** Estate of Leon SMITHERS, by his Personal Representative, Homer Norris, Jr. And Alan Sharp and Robert Bonner, Plaintiffs, v. CITY OF FLINT, Officer Ter... 2006 WL 5163573, *5163573+ , E.D.Mich.	Dec. 22, 2006	Motion		—
Discussed by	**307. Memorandum in Support of Motion for Judgment on the Pleadings** Christa A. NEAL, as Representative of the Wrongful Death Beneficiaries, Plaintiff, v. LEE COUNTY, Mississippi, Sheriff Jim Johonson, individually and ... 2009 WL 4703097, *4703097+ , N.D.Miss.	Jun. 19, 2009	Motion		6 12 S.Ct.
Discussed by	**308. Memorandum in Support of Motion for Qualified Immunity and Summary Judgment** Loretha PORTER, Plaintiff, v. CLAIBORNE COUNTY, Mississippi; Frank Davis, Claiborne County Sheriff, in His Individual and Official Capacity; Allen Bur... 2009 WL 4901667, *4901667+ , S.D.Miss.	Jul. 20, 2009	Motion		8 10 S.Ct.
Discussed by	**309. Reply Brief in Support of Defendant City of Durham, North Carolina's Motion to Dismiss Second Amended Complaint** Ryan MCFADYEN, et al., Plaintiffs, v. Duke UNIVERSITY, et al., Defendants. 2008 WL 8899099, *1+ , M.D.N.C.	Nov. 26, 2008	Motion		—
Discussed by	**310. Reply Brief in Support of Motion to Dismiss of Defendants DNA Security, Inc. and Richard Clark** Ryan McFADYEN et al., Plaintiffs, v. DUKE UNIVERSITY et al., Defendants. 2008 WL 8899115, *1+ , M.D.N.C.	Nov. 25, 2008	Motion		8 9 S.Ct.
Discussed by	**311. Brief in Support of Defendant City of Durham, North Carolina's Motion to Dismiss Second Amended Complaint** Ryan MCFADYEN, et al., Plaintiffs, v. Duke UNIVERSITY, et al., Defendants. 2008 WL 8899134, *1+ , M.D.N.C.	Jul. 02, 2008	Motion		3 6 S.Ct.

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Discussed by	**312.** **Las Vegas Metropolitan Police Department's and Bill Young's Reply to Plaintiff's Amended Opposition to Their Motion to Dismiss** Chrissy Israel MAZZEO, Plaintiff, v. James Arthur Jim GIBBONS; Sigmund Sig Rogich; Las Vegas Metropolitan Police Department; Bill Young; Donald J. Cam... 2009 WL 4922219, *4922219+ , D.Nev.	May 26, 2009	Motion		8 10 S.Ct.
Discussed by	**313.** **Defendants Las Vegas Metropolitan Police Department's and Bill Young's Motion to Dismiss** Chrissy Israel MAZZEO, Plaintiff, v. James Arthur JIM GIBBONS; Sigmund Sig Rogich; Las Vegas Metropolitan Police Department; Bill Young; Donald J. Cam... 2009 WL 4922211, *4922211+ , D.Nev.	Feb. 05, 2009	Motion		6 8 10 S.Ct.
Discussed by	**314.** **Defendant James Arthur ""Jim" Gibbons' Motion to Dismiss** Chrissy Israel MAZZEO, Plaintiff, v. James Arthur JIM GIBBONS; Sigmund Sig Rogich; Las Vegas Metropolitan Police Department; Bill Young; Donald J. Cam... 2009 WL 4922210, *4922210+ , D.Nev.	Jan. 30, 2009	Motion		7 10 S.Ct.
Discussed by	**315.** **Reply of the Metropolitan Water District of Southern California to Plaintiffs' Consolidated Memorandum in Opposition to Motions to Intervene and to Di...** Consejo de DESARROLLO Economico de Mexicali, A.C.; Citizens United for Resources and the Environment; Desert Citizens Against Pollution, Plaintiffs, v... 2005 WL 3767065, *3767065+ , D.Nev.	Oct. 26, 2005	Motion		—
Discussed by	**316.** **Plaintiff's Brief in Opposition to Motion for Summary Judgment by Defendants Jersey City, Jersey City Police Department, Carter, Behrens, Younger, Bla...** ESTATE OF OMAYRA SOBERAL, et al., Plaintiffs, v. CITY OF JERSEY CITY, et al., Defendants. 2007 WL 4640303, *4640303+ , D.N.J.	Sep. 10, 2007	Motion		8 10 S.Ct.
Discussed by	**317.** **Memorandum of Law in Support of Motion Pursuant to Rule 12(b)(6)** Thomas and Ann Marie HARRINGTON, as for and on behalf of Stephen Harrington, Plaintiffs, v. COUNTY OF SUFFOLK, Suffolk County Police Department, PO Jo... 2009 WL 4900673, *4900673+ , E.D.N.Y.	Feb. 26, 2009	Motion		10 12 S.Ct.
Discussed by	**318.** **Memorandum of Law in Opposition to Defendants' Motion to Dismiss the Complaint Pursuant to Federal Rule of Civil Procedure 12(b)(6)** Thomas and Ann Marie HARRINGTON, as for and on behalf of Stephen Harrington, Plaintiffs, v. COUNTY OF SUFFOLK, Suffolk County Police Department, PO Jo... 2009 WL 4900674, *4900674+ , E.D.N.Y.	Feb. 10, 2009	Motion		3 6 S.Ct.

Treatment	Title	Date	Type	Depth	Headnote(s)
Discussed by	**319.** **The New York City Department of Education Defendants' Post-Hearing Memorandum of Law in Further Opposition to Plaintiffs' Motion for A Preliminary Inj...** J.G., et al., Plaintiffs, v. Richard MILLS, et al., Defendants. 2006 WL 730552, *730552+ , E.D.N.Y.	Feb. 08, 2006	Motion		—
Discussed by	**320.** **Defendants' Memorandum of Law in Further Support of Their Motion for Summary Judgment and in Opposition to Plaintiff's Cross-Motion** Robert MATICAN, Plaintiff, v. John SCHNEIDER, Chris Zimmerman, Julio C. Ordonez and the City of New York, Defendants. 2005 WL 2892791, *2892791+ , E.D.N.Y.	Aug. 11, 2005	Motion		12 S.Ct.
Discussed by	**321.** **Reply Memorandum of Law** Robert MATICAN, Plaintiff, v. John SCHNEIDER, Chris Zimmerman, Julio C. Ordonez, and The City of New York, Defendants. 2002 WL 32910048, *32910048+ , E.D.N.Y.	2002	Motion		12 S.Ct.
Discussed by	**322.** **Memorandum of Law in Support of Defendants' AWB Limited's and AWB (U.S.A.) Limited's Motion to Dismiss the Amended Rico Class Action Complaint** Hana Ahmed KARIM, Ranjdar Mustafa Hasan, Rebar Jahur Ismail, Herish Said Ali, Karzan Sherko Tofia, Farhad M. Murasl, Herish Hassan Yousif, and Zhear Y... 2007 WL 5017606, *5017606+ , S.D.N.Y.	Oct. 10, 2007	Motion		5 S.Ct.
Discussed by	**323.** **Memorandum of Law by Plaintiffs In Opposition to Defendant's Motion to Dismiss Count Four of the Second Amended Complaint Under Federal Rule 12(b)(6) ...** Barbara MEI and Brendan Elliott, et al., Plaintiff, v. THE CITY OF NEW YORK (also sued as The Department of Environmental Protection), Defendant. 2007 WL 2271454, *2271454+ , S.D.N.Y.	Jun. 21, 2007	Motion		—
Discussed by	**324.** **Memorandum of Law in support of Defendant's motion to Dismiss** Alec J. MEGIBOW, M.D., Individually, and on Behalf of those Similarly Situated, Plaintiff, v. THE ATTORNEY GENERAL OF THE UNITED STATES OF AMERICA, De... 2005 WL 3825419, *3825419+ , S.D.N.Y.	Sep. 09, 2005	Motion		—
Discussed by	**325.** **Defendants' Motion to Dismiss and/or for Qualified Immunity** Dennis DOREN, Plaintiff, v. BOWLING GREEN STATE UNIV., et al, Defendants. 2008 WL 7318713, *7318713+ , N.D.Ohio	Sep. 17, 2008	Motion		7 8 10 S.Ct.
Discussed by	**326.** **Reply Memorandum in Support of the Government Defendants' Motion to Dismiss** John SINCLAIR, Plaintiff, v. Shaun DONOVAN, Secretary of the United States Department of Housing and Urban Development, et al., and Bank of America, N... 2011 WL 3732153, *1+ , S.D.Ohio	Jul. 28, 2011	Motion		1 2 3 S.Ct.

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Discussed by	**327. Reply Memorandum by All Defendants in Support of Motion for Judgment on the Pleadings and Memorandum in Opposition to Plaintiff's Motion to Amend** Nancy Eileen MICK, Plaintiff, v. Vernon P. STANFORTH, et. al., Defendants. 2010 WL 2532322, *2532322+ , S.D.Ohio	Mar. 05, 2010	Motion		—
Discussed by	**328. Reply Memorandum in Support of Motion for Judgment on the Pleadings** Gabriella MAYRIDES as Administrator of the Estate of Gabriel Mayrides, Plaintiff, v. DELAWARE COUNTY BOARD OF COMMISSIONERS, et al, Defendants. 2009 WL 5057206, *5057206+ , S.D.Ohio	Mar. 27, 2009	Motion		10 S.Ct.
Discussed by	**329. Plaintiff Stacey Hinkle's Reply Memorandum in Support of Civ. R. 56(f) Motion for Discovery to Respond to Defendants' Motion for Summary Judgment** Stacey HINKLE, as Administratrix of the Estate of Michelle Dieterle, Plaintiff, v. HAMILTON COUNTY BOARD OF COMMISSIONERS, et al., Defendants. 2009 WL 5057149, *5057149+ , S.D.Ohio	Jan. 26, 2009	Motion		7 S.Ct.
Discussed by	**330. Defendants' brief in support of Motion to dismiss second amended complaint filed on January 25, 2008** GLOVER CONSTRUCTION COMPANY, INC., and Paul Glover, Plaintiffs, v. Carlisle MABREY, III, James Dunegan, Dan Overland, Jackie Cooper, Loyd Benson, Bruc... 2008 WL 7313739, *7313739+ , E.D.Okla.	Feb. 15, 2008	Motion		2 8 S.Ct.
Discussed by	**331. Defendants' Reply to Plaintiff's Response to Defendants' Motion and Brief to Dismiss** GLOVER CONSTRUCTION CO. INC, Plaintiff, v. Carlisle MABREY, III, James Dunegan, Dan Overland, Jackie Cooper, Loyd Benson, Bruce Benbrook, Bradley Burg... 2007 WL 7008069, *7008069+ , E.D.Okla.	Nov. 01, 2007	Motion		—
Discussed by	**332. Motion to Dismiss of Defendants Michael Burnett and City of Seminole** Cassandra CAMPBELL Plaintiff, v. Michael BURNETT, and individual, and City of Seminole, Oklahoma Defendant. 2007 WL 810167, *810167+ , E.D.Okla.	Jan. 24, 2007	Motion		—
Discussed by	**333. Motion to Dismiss of Defendants Thomas Hart, Shawn Byrne and Lori Osborn and Brief in Support** (1) Steven WHITE, Plaintiff, v. (1) THE CITY OF OKLAHOMA CITY, et al., Defendants. 2007 WL 4719609, *4719609+ , W.D.Okla.	Oct. 29, 2007	Motion		—
Discussed by	**334. Motion to Dismiss and Brief in Support of Defendant Randall** Steven WHITE, Plaintiff, v. THE CITY OF OKLAHOMA CITY, a municipal corporation, Susan Randall, individually, Thomas Hart, individually, Shawn Byrne, i... 2007 WL 4719637, *4719637+ , W.D.Okla.	Jul. 16, 2007	Motion		—

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Discussed by	**335.** **Reply Memorandum in Support of Defendants' FRCP 12(b)(6) Motion to Dismiss** Marlin ANDERSON, Mary Bailey, Matthew Chase, Jack Golden, on behalf of themselves and all others similarly situated, Plaintiffs, v. CITY OF PORTLAND; ... 2009 WL 4896893, *4896893+ , D.Or.	Apr. 29, 2009	Motion		4 6 S.Ct.
Discussed by	**336.** **Reply Memorandum of Defendant Dryvit Systems, Inc. in Support of Motion for Summary Judgment on Federal Constitutional Grounds** Dixie MCFADDEN, Gregory W. Byrne, and Debra D. Byrne, Plaintiffs, v. DRYVIT SYSTEMS, INC., a Rhode Island corporation, Defendant. 2005 WL 2866748, *2866748+ , D.Or.	Sep. 12, 2005	Motion		—
Discussed by	**337.** **Plaintiff's Response to the Motion for Summary Judgment of Defendants City of Philadelphia, Robert Reamer, Charles Bloom and Francis Gramlich** Jill BURELLA, individually and as parent and natural guardian of Beth Ann Burella, Danielle Burella, and Nicholas Burella, v. CITY OF PHILADELPHIA, Ro... 2009 WL 6387654, *6387654+ , E.D.Pa.	Jan. 12, 2009	Motion		8 S.Ct.
Discussed by	**338.** **Memorandum of Law in Opposition to Defendants' Motion to Dismiss** W. Wilson GOODE, Jr.; Joan Krajewski; Frank DiCicco; Frank Rizzo; James Kenney; Lynn McConville; Society Created to Reduce Urban Blight; National Asso... 2007 WL 7007547, *7007547+ , E.D.Pa.	May 16, 2007	Motion		4 6 S.Ct.
Discussed by	**339.** **Civil Action** Joseph J. CAMPBELL, Plaintiff, v. WEST PITTSTON BOROUGH, Ralph Zezza, Carl Rosencrance, Ray Ramage Joseph Delucca, Drew Smith and William Rowe, Defend... 2008 WL 410981, *410981+ , M.D.Pa.	Jan. 04, 2008	Motion		4 8 S.Ct.
Discussed by	**340.** **Brief in Support of Defendants' Motion to Dismiss Portions of Plaintiff's Complaint** Joseph HONIS, Plaintiff, v. Stephen HOLLY and Borough of McAdoo, Defendants. 2007 WL 4772197, *4772197+ , M.D.Pa.	May 16, 2007	Motion		—
Discussed by	**341.** **Brief in Support of Defendants' Motion to Dismiss Portions of Plaintiff's Complaint** Joseph HONIS, Plaintiff, v. Stephen HOLLY and Borough of McAdoo, Defendants. 2007 WL 4772198, *4772198+ , M.D.Pa.	May 09, 2007	Motion		—
Discussed by	**342.** **Response of Defendants Eugene Zambrano III and Zambrano Corporation in Opposition to Plaintiffs' Objections (Doc. 142) to Magistrate Judge Caiazza's R...** Rock FERRONE and Rock Airport of Pittsburgh, L.L.C., Plaintiffs, v. Dan ONORATO, individually and officially, Dennis Davin, individually and officiall... 2007 WL 4760697, *4760697+ , W.D.Pa.	Jan. 18, 2007	Motion		—

Treatment	Title	Date	Type	Depth	Headnote(s)
Discussed by	**343. Reply Brief of Defendants Eugene Zambrano III and Zambrano Corporation in Further Support of Their Motion to Dismiss Second Amended Complaint** Rock FERRONE and Rock Airport of Pittsburgh, L.L.C., Plaintiffs, v. Dan ONORATO, individually and officially, Dennis Davin, individually and officiall... 2006 WL 5277864, *5277864+ , W.D.Pa.	Sep. 26, 2006	Motion		—
Discussed by	**344. Plaintiffs' Objections to the Report and Recommendation** Rock FERRONE and Rock Airport of Pittsburgh, L.L.C., Plaintiffs, v. Dan ONORATO, individually and officially, Dennis Davin, individually and officiall... 2006 WL 5277868, *5277868+ , W.D.Pa.	Jun. 12, 2006	Motion		—
Discussed by	**345. Brief in Support of Motion of Defendant Northwest Regional Communications to Dismiss and/or for More Definite Statement** Joseph W. FERDERBAR, Administrator of the Estate of Linda Ferderbar, Deceased, Plaintiff, v. COUNTY OF ALLEGHENY, Northwest Regional Communications, A... 2005 WL 3938219, *3938219+ , W.D.Pa.	2005	Motion		—
Discussed by	**346. Memorandum of Defendants Gray and Unnamed John Does in Support of Motion for Summary Judgment** Krystal PARK, Special Administrator of the Estate of Julie Rae Doncheske, Deceased, Plaintiff, v. John Jack GRAY, individually and as a parole officer... 2009 WL 4923656, *4923656+ , D.S.D.	Sep. 01, 2009	Motion		7 8 10 S.Ct.
Discussed by	**347. Brief in Support of Resistance to Defendant's Motion to Dismiss for Failure to State a Claim** Joseph Van ZEE, Plaintiff, v. Marilyn HANSON, individually, Defendant. 2009 WL 4764527, *4764527+ , D.S.D.	Aug. 24, 2009	Motion		5 6 S.Ct.
Discussed by	**348. Brief of the State of Texas as Intervenor in Support of Cross-motion for Summary Judgment and in Opposition to Plaintiffs' Motion for Summary Judgment** Emma WATSON, et al., Plaintiffs, v. HARRISON COUNTY HOSPITAL ASSOCIATION, d/b/ a Marshall Regional Medical Center; et al., Defendants. 2009 WL 8591609, *1+ , E.D.Tex.	Aug. 17, 2009	Motion		4 6 S.Ct.
Discussed by	**349. Defendants Bruce McFarling and Lee Gabriel's Motion to Dismiss and Brief in Support of Motion** Neil L. DURRANCE, Plaintiff, v. Honorable Bruce MCFARLING and Honorable Lee Gabriel, Defendants. 2008 WL 7320823, *7320823+ , E.D.Tex.	Oct. 06, 2008	Motion		3 5 6 S.Ct.
Discussed by	**350. First Motion for Summary Judment of Defendants Michael L.williams, Ictor G.carrillo, and Elizabeth a. Jones** Reverend David HUDSON individually and on behalf of those similarly situated, v. THE STATE OF TEXAS through the Texas Railroad Commission. 2008 WL 2907081, *2907081+ , E.D.Tex.	Jul. 14, 2008	Motion		8 10 S.Ct.

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Discussed by	**351. Defendants' Reply to Plaintiffs' Response to Defendants' Motion to Dismiss** Jimmy Wayne ROBERSON, Individually, and as Executor of the Estate of Jana Sue Roberson, Plaintiffs, v. Cody ROBERSON, Niki Sechrist, Weldon Wilson, To... 2009 WL 5071280, *5071280+ , N.D.Tex.	Jan. 16, 2009	Motion		8 10 S.Ct.
Discussed by	**352. Motion to Dismiss** Jimmy Wayne ROBERSON, Individually, and as Executor of the Estate of Jana Sue Roberson, Plaintiffs, v. Cody ROBERSON, Niki Sechrist, Weldon Wilson, To... 2008 WL 7323698, *7323698+ , N.D.Tex.	Dec. 08, 2008	Motion		7 8 10 S.Ct.
Discussed by	**353. Defendants Wayne Salvant, Elizabeth Berry, Mike Thomas, Mollee Westfall, Everett Young, Scott Wisch, George Gallagher, Robert K. Gill and Jeff Walker'...** Lawrence Patrick DAVIS, Plaintiff, v. TARRANT COUNTY, Texas, Hon. Sharen Wilson, in individual and official capacity, Hon. Wayne Salvant, in individua... 2007 WL 4830212, *4830212+ , N.D.Tex.	Nov. 05, 2007	Motion		—
Discussed by	**354. Defendant Sharen Wilson's Motion to Dismiss and Brief in Support of Her Motion** Lawrence Patrick DAVIS, Plaintiff, v. TARRANT COUNTY, Texas, Hon. Sharen Wilson, in Individual and Official Capacity, Hon. Wayne Salvant, in Individua... 2007 WL 4830187, *4830187+ , N.D.Tex.	Sep. 28, 2007	Motion		—
Discussed by	**355. Defendant's Brief in Support of its Motion for Summary Judgment** DALLAS POLICE ASSOCIATION, Plaintiff, v. CITY OF DALLAS, Texas, Defendant. 2007 WL 3312384, *3312384+ , N.D.Tex.	Sep. 24, 2007	Motion		—
Discussed by	**356. Defendant City of Harlingen's Motion to Dismiss Plaintiffs' Original Complaint under Rule 12(b)(6)** Heriberto TAMEZ, Individually and on Behalf of the Estate of Daniel Tamez, Maria Trinidad Tamez, Individually, April Garza as Next Friend of E.E.T., A... 2008 WL 7327278, *7327278+ , S.D.Tex.	Jan. 30, 2008	Motion		2 5 10 S.Ct.
Discussed by	**357. Reply Memorandum in Support of Defendants Richard Anderson's, Kari Cunningham's and Susan Eisenman's Motion to Dismiss** P.J.¨(3)27, a minor, by and through his parents and natural guardians, Barbara and Daren Jensen; Barbara Jensen, individually; and Daren Jensen, indiv... 2006 WL 813509, *813509+ , D.Utah	Feb. 10, 2006	Motion		—
Discussed by	**358. Reply Brief in Response to Plaintiff's Memorandum in Opposition to Motion to Dismiss** Jean MILLS Personal Representative of the Estate of Connie Mills, Plaintiff, v. CITY OF ROANOKE, Tracy Huff, and Bobby Harman, Defendants. 2007 WL 4911385, *4911385+ , W.D.Va.	Sep. 06, 2007	Motion		—

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Discussed by	**359. Memorandum in Support of Defendants' Motion for Summary Judgment in Favor of Defendants** Adolph HILL, Plaintiff, v. CITY OF RACINE, et al, Defendants. 2005 WL 2477764, *2477764+ , E.D.Wis.	Aug. 05, 2005	Motion		—
Discussed by	**360. Defendants' Motion to Dismiss and Incorporated Memorandum of Points and Authorities ÝFed. R. CIV. P. 12(b)(1) & (6)¨** AE JA ELLIOT PARK, Plaintiff, v. Jarrod MANGLONA, Michael Langdon, Anthony Macaranas, Department of Public Safety and Juan Does 1-4, Norbert Duenas Ba... 2008 WL 7318315, *7318315+ , D.N.Mar.I.	Jan. 31, 2008	Motion		7 8 10 S.Ct.
Discussed by	**361. Defendants' Reply to Plaitiff's Opposition to the Motion to Dismiss** AE JA ELLIOT PARK, Plaintiff, v. Jarrod MANGLONA, Michael Langdon, Anthony Macaranas, Department of Public Safety and Juan Does 1-4, Norbert Duenas Ba... 2007 WL 7010059, *7010059+ , D.N.Mar.I.	Nov. 15, 2007	Motion		6 8 10 S.Ct.
Discussed by	**362. Opposition to Motion to Dismiss** AE JA ELLIOT PARK, Plaintiff, v. Jarrod MANGLONA, et al., Defendants. 2007 WL 7010058, *7010058+ , D.N.Mar.I.	Oct. 15, 2007	Motion		7 8 10 S.Ct.
Discussed by	**363. Defendants' Motion to Dismiss and Incorporated Memorandum of Points and Authorities (fed. R. Civ. P. 12(b)(1) & (6))** AE JA ELLIOT PARK, Plaintiff, v. Jarrod MANGLONA, Michael Langdon, Anthony Macaranas, Department of Public Safety and Juan Does 1-4, Norbert Duenas Ba... , D.N.Mar.I.	Sep. 10, 2007	Motion		—
Discussed by	**364. Motion for Summary Judgment and Memorandum of Law in Support Thereof** Jose TORRES-HEREDIA, et als, Plaintiffs, v. Nicolas LOPEZ-PENA, et als, Defendants. 2007 WL 4780681, *4780681+ , D.Puerto Rico	May 22, 2007	Motion		—
Discussed by	**365. Complaint for Injunctive Relief** Carlos Romero BARCELO, Plaintiff, v. SUPERINTENDENT OF POLICE, Pedro Toledo, Defendant. 2007 WL 7011721, *7011721+ , D.Puerto Rico	Feb. 10, 2007	Motion		8 S.Ct.
Discussed by	**366. Complaint for Injunctive Relief** Carlos Romero BARCELO, Plaintiff, v. SUPERINTENDENT OF POLICE, Pedro Toledo, Defendant. 2007 WL 7011719, *7011719+ , D.Puerto Rico	Feb. 09, 2007	Motion		8 S.Ct.
Discussed by	**367. Memorandum of Points and Authorities in Support of Demurrer to Second Amended Complaint for Damages and Petition for Writ of Mandate and Other Equitab...** ST. VINCENT'S SCHOOL FOR BOYS, Catholic Charities Cyo, Plaintiff/Petitioner, v. CITY OF SAN RAFAEL, and Does 120, Inclusive, Defendants/Respondents. 2005 WL 6195950, *6195950+ , Cal.Super.	Jul. 21, 2005	Motion		—

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Discussed by	**368.** **Defendant's, City of Delray Beach's, Motion to Dismiss Plaintiff's Third Amended Complaint** Karen WHITEHEAD, Plaintiff, v. Linda MARKS and James Marks, husband and wife, Bridgett Marks, Rachel Marks, Crystal Marks, Angel Marks, Jack Makler, T... 2008 WL 8869535, *1+ , Fla.Cir.Ct.	Apr. 28, 2008	Motion		12 S.Ct.
Discussed by	**369.** **Defendants' motion for Summary Judgment, Motion for Entry of Final Judgment, and Request for Hearing** Deborah SWAINAMER, Plaintiff, v. CHIEF MICHAEL HEALY, Officer Reginald Deschenes, Officer John Bell, Deputy Chief John Gifford, Former Selectman David... 2007 WL 5963922, *1+ , Mass.Super.	Jun. 25, 2007	Motion		2 4 11 S.Ct.
Discussed by	**370.** **Response to Motion to Dismiss** Estate of Shennel McCrimon MCKENDALL, Lawrence and Joyce McCrimon, Administrators, and Janay White, Plaintiffs, v. Richard WEBSTER, in his official ca... 2007 WL 1510623, *1510623+ , N.C.Super.	Apr. 18, 2007	Motion		—
Discussed by	**371.** **Defendants' Reply to Plaintiff's Closing Brief** STUDOR, INC., a Florida Corporation, Plaintiff, v. COUNTY OF CLARK, a political subdivision of the State of Nevada, Clark County Department Of Buildin... 2008 WL 8443603, *1+ , Nev.Dist.Ct.	Mar. 25, 2008	Motion		5 8 10 S.Ct.
Discussed by	**372.** **Reply to Plaintiff's to Defendants' Motion in Limine to Exclude Evidence and Argument Unrelated to the Adequacy of Procedures Available to Plaintiff i...** STUDOR, INC., a Florida Corporation, Plaintiff, v. COUNTY OF CLARK, a political subdivision Date of of the State of Nevada, Clark County Time of Depar... 2007 WL 7531221, *1+ , Nev.Dist.Ct.	Oct. 17, 2007	Motion		5 6 S.Ct.
Discussed by	**373.** **Defendants' Motion for Summary Judgment** Steven J. KRIER and Shelly L. Krier, Plaintiffs, v. CITY OF AUBURN; Auburn Police Dept.; Det. Brian Williams; Det. Jeffrey Crawford; Ofc. Cailler; Sgt... 2008 WL 4992406, *4992406+ , Wash.Super.	Jul. 31, 2008	Motion		—
Distinguished by NEGATIVE	**374.** **Smith v. Davidson** 2012 WL 1079752, *5+ , E.D.Mich. This matter is before the Court on Plaintiff Sam Smith's objections (Dkt.10) to the Report and Recommendation (“R & R”), entered by Magistrate Judge R. Steven Whalen on July 7,...	Mar. 30, 2012	Case		—
Distinguished by NEGATIVE	**375.** **Gardner v. Luzerne County** 645 F.Supp.2d 325, 339+ , M.D.Pa. CIVIL RIGHTS - Duty to Protect. Bail bond agreement did not create special relationship that would give rise to a duty to protect.	Jan. 28, 2009	Case		7 S.Ct.

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Distinguished by NEGATIVE	**376.** Vives v. City of New York 524 F.3d 346, 354 , 2nd Cir.(N.Y.) CIVIL RIGHTS - Municipal Liability. Fact issues barred summary judgment, in § 1983 unlawful arrest action against city.	May 01, 2008	Case		8 S.Ct.
Cited by	**377.** Georgia v. Randolph 126 S.Ct. 1515, 1540+ , U.S.Ga. CRIMINAL JUSTICE - Searches and Seizures. Warrantless search was unreasonable as to defendant who had expressly refused to consent.	Mar. 22, 2006	Case		—
Cited by	**378.** San Geronimo Caribe Project, Inc. v. Acevedo-Vila 687 F.3d 465, 497 , 1st Cir.(Puerto Rico) CIVIL RIGHTS - State Action. Under Parratt–Hudson doctrine, predeprivation procedural due process was not required for state's deprivation of property.	Jul. 24, 2012	Case		6 S.Ct.
Cited by	**379.** Air Sunshine, Inc. v. Carl 663 F.3d 27, 34 , 1st Cir.(Puerto Rico) CIVIL RIGHTS - Free Speech. Airline's allegations were insufficient to state Bivens claim of First Amendment retaliation by federal employee.	Dec. 02, 2011	Case		5 S.Ct.
Cited by	**380.** Perez-Acevedo v. Rivero-Cubano 520 F.3d 26, 30 , 1st Cir.(Puerto Rico) CIVIL RIGHTS - Due Process. Farmers denied financial assistance via informal administrative procedure were not entitled to formal hearing.	Mar. 12, 2008	Case		10 S.Ct.
Cited by	**381.** Hatfield-Bermudez v. Aldanondo-Rivera 496 F.3d 51, 59 , 1st Cir.(Puerto Rico) EDUCATION - Labor and Employment. Director did not have a protected property interest in renewal of her contract by Department of Education of Puerto Rico.	Aug. 06, 2007	Case		4 6 S.Ct.
Cited by	**382.** Rosario-Urdaz v. Velazco 433 F.3d 174, 180 , 1st Cir.(Puerto Rico) LABOR AND EMPLOYMENT - Public Employment. Under Puerto Rico law, career employee had right to due process hearing from Commonwealth before termination.	Jan. 06, 2006	Case		10 S.Ct.
Cited by	**383.** Kalderon v. Finkelstein --- Fed.Appx. ---- , 2nd Cir.(N.Y.) LITIGATION - Pleading. Magistrate judge properly amended a complaint by culling from it only those facts relevant to plaintiff's claims.	Aug. 30, 2012	Case		2 4 5 S.Ct.
Cited by	**384.** Mordukhaev v. Daus 457 Fed.Appx. 16, 19+ , 2nd Cir.(N.Y.) CIVIL RIGHTS - Due Process. City commission's revocation of driver's taxicab license comported with due process.	Jan. 17, 2012	Case		2 3 6 S.Ct.

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Cited by	**385.** Carter v. Incorporated Village of Ocean Beach 415 Fed.Appx. 290, 293 , 2nd Cir.(N.Y.) CIVIL RIGHTS - Free Speech. Police officers' speech was speech pursuant to officers' official duties and not protected by First Amendment.	Mar. 18, 2011	Case		2 3 6 S.Ct.
Cited by	**386.** Taravella v. Town of Wolcott 599 F.3d 129, 133 , 2nd Cir.(Conn.) CIVIL RIGHTS - Immunity. Mayor was protected by qualified immunity from procedural due process claim by terminated municipal employee.	Mar. 16, 2010	Case		—
Cited by	**387.** Okin v. Village of Cornwall-On-Hudson Police Dept. 577 F.3d 415, 432 , 2nd Cir.(N.Y.) CIVIL RIGHTS - Immunity. Officers were not qualifiedly immune from action alleging failure to effectively respond to domestic violence complaints.	Aug. 18, 2009	Case		8 S.Ct.
Cited by	**388.** Spinelli v. City of New York 579 F.3d 160, 174 , 2nd Cir.(N.Y.) CIVIL RIGHTS - Due Process. Gun shop owner's due process rights were violated by suspension of license and seizure of firearms inventory.	Aug. 07, 2009	Case		11 S.Ct.
Cited by	**389.** Conyers v. Rossides 558 F.3d 137, 151 , 2nd Cir.(N.Y.) LABOR AND EMPLOYMENT - Transportation Workers. Failure to hire applicant as airport security screener was not subject to judicial review.	Mar. 03, 2009	Case		2 S.Ct.
Cited by	**390.** Boss v. Kelly 306 Fed.Appx. 649, 650 , 2nd Cir.(N.Y.) LABOR AND EMPLOYMENT - Public Employment. Police officer did not have protected property interest in restored use of his police-issued firearm.	Jan. 13, 2009	Case		5 S.Ct.
Cited by	**391.** Yuen Jin v. Mukasey 538 F.3d 143, 161 , 2nd Cir. IMMIGRATION - Asylum. Chinese aliens could not reopen removal proceedings for consideration of successive asylum applications.	Aug. 15, 2008	Case		5 S.Ct.
Cited by	**392.** O'Connor v. Pierson 426 F.3d 187, 196 , 2nd Cir.(Conn.) EDUCATION - Labor and Employment. Summary judgment was precluded on teacher's claim that school board violated his substantive due process right to privacy.	Oct. 11, 2005	Case		2 S.Ct.
Cited by	**393.** Ferrone v. Onorato 298 Fed.Appx. 138, 139 , 3rd Cir.(Pa.) CIVIL RIGHTS - Due Process. Airport lacked constitutionally-protected property interest in agreement or proceeds of economic development loan.	Oct. 31, 2008	Case		5 S.Ct.

Treatment	Title	Date	Type	Depth	Headnote(s)
Cited by	**394. A HELPING HAND, LLC, A Maryland Corporate Entity; JOHN DOE 1; JANE DOE NUMBER 1; JOHN DOE 2, Plaintiffs-Appellees, JANE DOE NUMBER 2; JANE DOE NUMBER ...** , 4th Cir.	Feb. 12, 2008	Case		—
Cited by	**395. A Helping Hand, LLC v. Baltimore County, MD** 515 F.3d 356, 370 , 4th Cir.(Md.) REAL PROPERTY - Zoning and Planning. Operator of methadone treatment clinic had vested property right in operating clinic at its chosen location.	Feb. 12, 2008	Case		6 S.Ct.
Cited by	**396. Jaramillo v. City of McAllen, Texas** 306 Fed.Appx. 140, 143 , 5th Cir.(Tex.) CIVIL RIGHTS - Municipal Liability. City's alleged failure to adequately enforce its animal control ordinance did not violate due process.	Jan. 08, 2009	Case		—
Cited by	**397. Hampton Co. Nat. Sur., LLC v. Tunica County, Miss.** 543 F.3d 221, 226 , 5th Cir.(Miss.) CIVIL RIGHTS - Municipal Liability. County was potentially liable in bail bond agents' § 1983 due process action alleging improper removal from approved list.	Sep. 18, 2008	Case		—
Cited by	**398. Ridgely v. Federal Emergency Management Agency** 512 F.3d 727, 735 , 5th Cir.(La.) REAL PROPERTY - Subsidized Housing. Act governing rental assistance for disaster victims did not create due process property interest in continued rental assistance.	Jan. 04, 2008	Case		5 S.Ct.
Cited by	**399. EJS Properties, LLC v. City of Toledo** 698 F.3d 845, 856 , 6th Cir.(Ohio) REAL PROPERTY - Zoning and Planning. City's alleged corruption was irrelevant to existence of due-process property interest in rezoning.	Sep. 05, 2012	Case		3 4 6 S.Ct.
Cited by	**400. Baar v. Jefferson County Bd. of Educ.** 311 Fed.Appx. 817, 824+ , 6th Cir.(Ky.) EDUCATION - Civil Rights. Restriction barring teacher from communicating with colleague did not violate First Amendment.	Feb. 18, 2009	Case		2 4 S.Ct.
Cited by	**401. Gunasekera v. Irwin** 551 F.3d 461, 467 , 6th Cir.(Ohio) EDUCATION - Civil Rights. State university professor sufficiently alleged due process entitlement to adequately publicized name-clearing hearing.	Jan. 08, 2009	Case		5 S.Ct.
Cited by	**402. Sickles v. Campbell County, Kentucky** 501 F.3d 726, 733 , 6th Cir.(Ky.) CIVIL RIGHTS - Prisons. County was not required to grant hearing prior to withholding money from inmates' canteen accounts to pay costs of board.	Sep. 05, 2007	Case		1 S.Ct.

Treatment	Title	Date	Type	Depth	Headnote(s)
Cited by	**403.** Loriz v. Connaughton 233 Fed.Appx. 469, 473 , 6th Cir.(Ohio) LITIGATION - Jurisdiction. Landowners' challenge to state's approval of adjacent shooting range was barred under Rooker–Feldman doctrine.	May 11, 2007	Case		—
Cited by	**404.** Bangura v. Hansen 434 F.3d 487, 496 , 6th Cir.(Ohio) IMMIGRATION - Marriage. Statute denying immediate spousal visa to aliens who marry United States citizens did not violate substantive due process.	Jan. 18, 2006	Case		8 S.Ct.
Cited by	**405.** Vance v. Rumsfeld --- F.3d ---- , 7th Cir.(Ill.) CIVIL RIGHTS - Constitutional Torts. American citizens had no private right of action under Bivens against Secretary of Defense for abusive military detention.	Nov. 07, 2012	Case		—
Cited by	**406.** Sung Park v. Indiana University School of Dentistry 692 F.3d 828, 832+ , 7th Cir.(Ind.) EDUCATION - Civil Rights. Student did not have fundamental right, protected by due process, to become a dentist.	Aug. 30, 2012	Case		3 S.Ct.
Cited by	**407.** Whitlock v. Brueggemann 682 F.3d 567, 588 , 7th Cir.(Ill.) CIVIL RIGHTS - Appeals. Court lacked jurisdiction over interlocutory appeals from denial of summary judgment on qualified immunity claims.	May 30, 2012	Case		—
Cited by	**408.** Delgado v. Holder 674 F.3d 759, 765 , 7th Cir. IMMIGRATION - Deportation or Removal. Immigration Judge (IJ) was not biased in a cancellation of removal proceeding.	Mar. 22, 2012	Case		3 5 S.Ct.
Cited by	**409.** Portillo-Rendon v. Holder 662 F.3d 815, 817 , 7th Cir. IMMIGRATION - Deportation or Removal. Decisions that alien lacked good moral character and thus was not eligible for cancellation of removal were not reviewable.	Nov. 07, 2011	Case		3 6 S.Ct.
Cited by	**410.** Chicago Teachers Union, Local No. 1, American Federation of Teachers v. Board of Educ. of City of Chicago 662 F.3d 761, 763 , 7th Cir.(Ill.) EDUCATION - Seniority and Tenure. Questions were certified as to laid-off tenured teachers' recall rights and procedural rights during rehiring.	Jun. 13, 2011	Case		4 6 S.Ct.
Cited by	**411.** Evers v. Astrue 536 F.3d 651, 659 , 7th Cir.(Ill.) GOVERNMENT CONTRACTS - Jurisdiction. Physician's claim that termination of his consulting contract violated due process was barred by Contract Disputes Act.	Jul. 31, 2008	Case		—

Treatment	Title	Date	Type	Depth	Headnote(s)
Cited by	**412.** Domka v. Portage County, Wis. 523 F.3d 776, 780 , 7th Cir.(Wis.) CRIMINAL JUSTICE - Home detention. Prisoner waived any due process rights in home-detention program by signing agreement concerning conditions for removal.	Apr. 24, 2008	Case		1 S.Ct.
Cited by	**413.** Trask v. City of Chicago 246 Fed.Appx. 385, 387+ , 7th Cir.(Ill.) CIVIL RIGHTS - Dismissal. District court did not abuse discretion in not allowing property owner to revive her lawsuit.	Aug. 30, 2007	Case		—
Cited by	**414.** Minch v. City of Chicago 486 F.3d 294, 302 , 7th Cir.(Ill.) LABOR AND EMPLOYMENT - Public Employment. City firefighters did not have due process-protected property interest in continued employment regardless of age.	May 14, 2007	Case		1 S.Ct.
Cited by	**415.** Christensen v. County of Boone, IL 483 F.3d 454, 464 , 7th Cir.(Ill.) CIVIL RIGHTS - Equal Protection. Deputy sheriff's alleged conduct in trailing unmarried couple did not rise to violation of right to associate intimately.	Mar. 21, 2007	Case		—
Cited by	**416.** Shelton v. Knox 203 Fed.Appx. 745, 746 , 7th Cir.(Ill.) CIVIL RIGHTS - Arrest and Detention. Police officers had probable cause to arrest former hospital employee at hospital's request for trespassing.	Nov. 03, 2006	Case		—
Cited by	**417.** Stephens v. Cottey 145 Fed.Appx. 179, 181+ , 7th Cir.(Ind.) CIVIL RIGHTS - Prisons. Failure to provide inmate with proper bed and mattress for eight days did not violate Eighth Amendment.	Aug. 17, 2005	Case		8 S.Ct.
Cited by	**418.** McCready v. White 417 F.3d 700, 702 , 7th Cir.(Ill.) GOVERNMENT - Records. Persons seeking the disclosure of information under the Driver's Privacy Protection Act have no private right of action.	Aug. 02, 2005	Case		—
Cited by	**419.** Keating v. Nebraska Public Power Dist. 660 F.3d 1014, 1017+ , 8th Cir.(Neb.) REAL PROPERTY - Water. Nebraska agency did not deny farmers due process in ordering them to cease drawing water from watershed.	Nov. 07, 2011	Case		2 4 6 S.Ct.
Cited by	**420.** Van Zee v. Hanson 630 F.3d 1126, 1129 , 8th Cir.(S.D.) LITIGATION - Motion Practice. District court's consideration of matters outside the pleadings on motion to dismiss was harmless.	Jan. 18, 2011	Case		4 6 S.Ct.

Treatment	Title	Date	Type	Depth	Headnote(s)
Cited by	**421.** Ganley v. Minneapolis Park and Recreation Bd. 491 F.3d 743, 749 , 8th Cir.(Minn.) LABOR AND EMPLOYMENT - Public Employment. Park board did not deny police officers equal protection in denying them higher initial placement upon their transfer.	Jul. 03, 2007	Case		4 6 S.Ct.
Cited by	**422.** Beggs v. Gilkey 178 Fed.Appx. 593, 595+ , 8th Cir.(Ark.) CIVIL RIGHTS - Due Process. Owner of towing company did not have protected property interest in receiving work from county.	Apr. 26, 2006	Case		4 S.Ct.
Cited by	**423.** Neal v. Fields 429 F.3d 1165, 1167 , 8th Cir.(Ark.) HEALTH - Discipline. State board's disclosure of ongoing investigation of registered nurse to potential employers did not violate due process.	Dec. 01, 2005	Case		4 6 S.Ct.
Cited by	**424.** Charles Wiper, Inc. v. City of Eugene --- Fed.Appx. ---- , 9th Cir.(Or.) Background: Landowner brought § 1983 action against city, alleging violations of procedural due process, substantive due process, and equal protection in relation to city's...	Jun. 28, 2012	Case		3 S.Ct.
Cited by	**425.** Peter-Palican v. Government of Com. of Northern Mariana Islands 673 F.3d 1013, 1021 , 9th Cir. The Commonwealth of the Northern Mariana Islands and Governor Benigno R. Fitial (collectively, “the Commonwealth”) appeal from the district court's judgment in favor of Emerenciana...	Mar. 12, 2012	Case		4 6 S.Ct.
Cited by	**426.** Pimentel v. Dreyfus 670 F.3d 1096, 1110 , 9th Cir.(Wash.) GOVERNMENT - Public Assistance. Alien was not likely to succeed on her claim that state's termination of food assistance program violated equal protection.	Feb. 29, 2012	Case		4 6 S.Ct.
Cited by	**427.** Fennell v. Gregory 414 Fed.Appx. 32, 34 , 9th Cir.(N.Mariana Islands) LABOR AND EMPLOYMENT - Public Employment. Public employee had no due process property interest in appointment of outside counsel by state attorney general.	Jan. 31, 2011	Case		3 5 S.Ct.
Cited by	**428.** Synclair v. County of Fresno 406 Fed.Appx. 188, 189 , 9th Cir.(Cal.) FAMILY LAW - Child Custody. Father's interest in enforcing child custody order did not rise to level of entitlement protected by due process.	Dec. 16, 2010	Case		5 S.Ct.
Cited by	**429.** Boldt v. Myers 376 Fed.Appx. 800, 801 , 9th Cir.(Or.) Erna E.N. Boldt appeals pro se from the district court's judgment dismissing her 42 U.S.C. § 1983 action alleging that defendants failed to investigate her allegations of elder...	Apr. 20, 2010	Case		9 S.Ct.

Treatment	Title	Date	Type	Depth	Headnote(s)
Cited by	**430.** **Trihn v. Moghaddam** 369 Fed.Appx. 865, 866 , 9th Cir.(Cal.) GOVERNMENT - Liquor. Night club owners were afforded adequate due process during hearing revoking conditional use permit.	Mar. 08, 2010	Case		—
Cited by	**431.** **Maui Vacation Rental Ass'n, Inc. v. County of Maui** 303 Fed.Appx. 416, 417 , 9th Cir.(Hawai'i) REAL PROPERTY - Zoning and Planning. Lack of assurance that county approvals were forthcoming precluded estoppel claim of operators of transient vacation rentals.	Dec. 10, 2008	Case		—
Cited by	**432.** **U.S. v. Yida** 498 F.3d 945, 962+ , 9th Cir.(Cal.) CRIMINAL JUSTICE - Confrontation. Witness's former testimony was not admissible where Government did not act reasonably in deporting him.	Aug. 16, 2007	Case		7 S.Ct.
Cited by	**433.** **Oregon Entertainment Corp. v. City of Beaverton** 233 Fed.Appx. 618, 619 , 9th Cir.(Or.) REAL PROPERTY - Zoning and Planning. City development code did not create a federally protected property interest in conditional use permit to operate business on a 24-hour basis.	May 03, 2007	Case		—
Cited by	**434.** **Stanley v. Gonzales** 476 F.3d 653, 660 , 9th Cir.(Cal.) LABOR AND EMPLOYMENT - Public Employment. Attorney General's removal of federal bankruptcy trustee without cause did not violate separation of powers doctrine.	Jan. 16, 2007	Case		5 S.Ct.
Cited by	**435.** **Stuter v. Stevens County Sheriff's Dept.** 180 Fed.Appx. 664, 666 , 9th Cir.(Wash.) CIVIL RIGHTS - Free Speech. Plaintiffs failed to establish First Amendment retaliation claim against county sheriff's department and department officials.	May 12, 2006	Case		—
Cited by	**436.** **Kennedy v. City of Ridgefield** 440 F.3d 1091, 1092 , 9th Cir.(Wash.) The opinion filed June 23, 2005, and amended September 12, 2005, appearing at 411 F.3d 1134 and 423 F.3d 1117 respectively, and the opinion concurring in part and dissenting in...	Mar. 07, 2006	Case		—
Cited by	**437.** **Elwell v. Byers** 699 F.3d 1208, 1215 , 10th Cir.(Kan.) CIVIL RIGHTS - Due Process. Removal of foster child from foster home without notice to foster parents violated Due Process Clause.	Nov. 14, 2012	Case		3 S.Ct.
Cited by	**438.** **Anderson v. Worstell** --- Fed.Appx. ---- , 10th Cir.(Colo.) CIVIL RIGHTS - Immunity. It was not well-established that officers had duty to ensure safety of intoxicated passenger after they arrested driver.	Aug. 01, 2012	Case		—

Treatment	Title	Date	Type	Depth	Headnote(s)
Cited by	**439.** Elliott v. Martinez 675 F.3d 1241, 1245+ , 10th Cir.(N.M.) CIVIL RIGHTS - Due Process. Failure to provide notice to grand jury targets of their right to testify before grand jury did not violate due process.	Apr. 09, 2012	Case		3 6 11 S.Ct.
Cited by	**440.** Trant v. Oklahoma 426 Fed.Appx. 653, 664 , 10th Cir.(Okla.) LABOR AND EMPLOYMENT - Public Employment. Chief Medical Examiner's statements to supervisor about retaining counsel and reporting to FBI were protected by 1st Amendment.	Jun. 15, 2011	Case		3 S.Ct.
Cited by	**441.** Tri-State Contractors, Inc. v. Fagnant 393 Fed.Appx. 580, 584 , 10th Cir.(Wyo.) GOVERNMENT CONTRACTS - Bonds. City was not entitled to retain contractor's bid bond under Wyoming law, as city had not accepted contractor's bid.	Sep. 01, 2010	Case		4 6 S.Ct.
Cited by	**442.** Koch v. Daniels 296 Fed.Appx. 621, 628 , 10th Cir.(Okla.) CRIMINAL JUSTICE - Parole. State prisoner did not have constitutionally-protected interests in parole or preparole consideration.	Oct. 07, 2008	Case		6 S.Ct.
Cited by	**443.** Price-Cornelison v. Brooks 524 F.3d 1103, 1125 , 10th Cir.(Okla.) CIVIL RIGHTS - Immunity. Officer was not entitled to qualified immunity for alleged discrimination in enforcing domestic protection orders.	May 02, 2008	Case		12 S.Ct.
Cited by	**444.** Jones v. Hernandez --- Fed.Appx. ---- , 10th Cir.(N.M.) Appellant Annette Apodaca Jones filed suit under 42 U.S.C. § 1983 alleging that her denial of a promotion violated due process. The district court granted motions for dismissal as...	Dec. 06, 2007	Case		7 S.Ct.
Cited by	**445.** Darr v. Town of Telluride, Colo 495 F.3d 1243, 1252 , 10th Cir.(Colo.) CIVIL RIGHTS - State Action. Statements by members of town's citizen advisory board criticizing deputy marshal did not constitute state action.	Aug. 03, 2007	Case		—
Cited by	**446.** San Juan County, Utah v. U.S. 420 F.3d 1197, 1202 , 10th Cir.(Utah) LITIGATION - Parties. Prospective intervenors do not need to establish their standing to sue or defend before intervening.	Aug. 30, 2005	Case		—
Cited by	**447.** Austin v. Global Connection 303 Fed.Appx. 750, 752 , 11th Cir.(Ala.) ENERGY AND UTILITIES - Telecommunications. Customer failed to establish that telephone service provider violated Racketeer Influenced and Corrupt Organizations Act.	Dec. 17, 2008	Case		—

Treatment	Title	Date	Type	Depth	Headnote(s)
Cited by	**448.** Cushman v. Shinseki 576 F.3d 1290, 1297+ , Fed.Cir. VETERANS - Disability Benefits. Board of Veteran's Appeals' consideration of altered medical document in declining disability benefits violated due process.	Aug. 12, 2009	Case		5 S.Ct.
Cited by	**449.** Omar v. McHugh 646 F.3d 13, 22 , D.C.Cir. MILITARY LAW - Enemy Combatants. American citizen had no statutory right to judicial review of whether he was likely to be tortured if transferred to Iraqi custody.	Jul. 08, 2011	Case		—
Cited by	**450.** Menkes v. U.S. Dept. of Homeland Sec. 637 F.3d 319, 338 , D.C.Cir. MARITIME LAW - Coast Guard. Coast Guard's interpretation of "voluntary association" was reasonable and consistent with previously applied policy.	Mar. 08, 2011	Case		3 5 6 S.Ct.
Cited by	**451.** Zivotofsky v. Secretary of State 571 F.3d 1227, 1243 , D.C.Cir. GOVERNMENT - Separation of Powers. Issue of whether State Department could lawfully refuse to record United States citizen's birthplace as "Israel" on passport was nonjusticiable.	Jul. 10, 2009	Case		8 S.Ct.
Cited by	**452.** Thrower v. Ziegler 2012 WL 3431854, *3 , M.D.Ala. Before the court is Defendants' Motion to Dismiss (Doc. 16) and Brief in Support (Doc. 17). In the Motion, Defendants request this court "dismiss plaintiffs' complaint for lack of...	Jul. 26, 2012	Case		2 3 5 S.Ct.
Cited by	**453.** Smedley v. Tripp 2010 WL 5600133, *11 , M.D.Ala. Pursuant to 28 U.S.C. § 636(b)(1) these cases were referred to the undersigned United States Magistrate Judge for review and submission of a report with recommended findings of...	Dec. 10, 2010	Case		6 S.Ct.
Cited by	**454.** Williams v. Alabama Dept. of Corrections 2010 WL 3908594, *2 , M.D.Ala. Plaintiff DeNorris Williams ("Williams") is a former inmate of the Alabama Department of Corrections ("ADOC"). For seven months of his confinement, he earned wages working for...	Sep. 30, 2010	Case		—
Cited by	**455.** Smedley v. Tripp 2010 WL 3892251, *10 , M.D.Ala. Pursuant to 28 U.S.C. § 636(b)(1) these cases were referred to the undersigned United States Magistrate Judge for review and submission of a report with recommended findings of...	Aug. 13, 2010	Case		—

Treatment	Title	Date	Type	Depth	Headnote(s)
Cited by	**456.** **Hall v. Alabama** 2010 WL 582076, *7 , M.D.Ala. On January 19, 2010, the magistrate judge issued a report and recommendation (Doc. 46) to which no timely objections were made. Upon an independent review of the record and upon...	Feb. 18, 2010	Case		—
Cited by	**457.** **Vigor v. City of Saraland** 2008 WL 5225821, *9 , S.D.Ala. This matter comes before the Court on defendants' Motion for Summary Judgment (doc. 48), plaintiff's Motion to Strike Affidavit of Dr. Howard J. Rubenstein (doc. 56), and...	Dec. 11, 2008	Case		2 S.Ct.
Cited by	**458.** **Coggins v. Abbett** 2008 WL 2476759, *9 , M.D.Ala. Now pending before the Court are Defendant's Motion to Dismiss Plaintiff's Complaint (Doc. # 8) and Plaintiff's "Response" (Doc. # 13). Plaintiff has also filed a motion...	Jun. 18, 2008	Case		—
Cited by	**459.** **Austin v. Abdallah** 2008 WL 898850, *7 , M.D.Ala. After an independent review of the file, it is the ORDER, JUDGMENT and DECREE of the court that: 1. The plaintiffs objection (Doc. # 68) to the Recommendation of the Magistrate...	Mar. 31, 2008	Case		—
Cited by	**460.** **Nordell v. Montgomery Alabama Police Dept.** 2008 WL 622043, *4+ , M.D.Ala. After and independent and de novo review of the record, it is the ORDER, JUDGMENT, and DECREE of the court as follows: (1) Plaintiff's objections (Doc. No. 21) are overruled. (2)...	Mar. 04, 2008	Case		8 S.Ct.
Cited by	**461.** **Lietzke v. County Of Montgomery** 2008 WL 616063, *5 , M.D.Ala. The Magistrate Judge filed a Recommendation (Doc. # 7) that the case is due to be dismissed prior to service of process under 28 U.S .C. § 1915(e)(2)(B)(ii). No objection has been...	Mar. 03, 2008	Case		—
Cited by	**462.** **Coggins v. City of Jackson's Gap** 2007 WL 3342551, *7 , M.D.Ala. After an independent review of the file, it is the ORDER, JUDGMENT and DECREE of the court that: 1. The plaintiff's objection (Doc. # 46) to the Recommendation of the Magistrate...	Nov. 07, 2007	Case		—
Cited by	**463.** **Felder v. Campbell** 2007 WL 2572364, *7+ , M.D.Ala. The Magistrate Judge filed a Recommendation (Doc. # 75) in this case to which no timely objections have been made. After an independent review of the file in this case and upon...	Sep. 04, 2007	Case		7 10 S.Ct.
Cited by	**464.** **Hill v. City of Scottsdale** 2012 WL 2952377, *3+ , D.Ariz. Currently pending before the Court is Defendants' Motion for Summary Judgment (Doc. 24). The Court now rules on the Motion. Plaintiffs are all retired employees of the City of...	Jul. 19, 2012	Case		2 3 6 S.Ct.

Treatment	Title	Date	Type	Depth	Headnote(s)
Cited by	**465.** Valenzuela v. Meislin 2009 WL 3710677, *10+ , D.Ariz. EDUCATION - Compensation and Benefits. Employer was entitled to summary judgment because a doctor did not provide any facts to show that he had a property interest in receiving...	Nov. 02, 2009	Case		8 S.Ct.
Cited by	**466.** Lacy v. County of Maricopa 631 F.Supp.2d 1197, 1205 , D.Ariz. CIVIL RIGHTS - State Action. County medical examiner did not unconstitutionally restrict individual's right to present a complete defense in his trial.	Dec. 24, 2008	Case		6 S.Ct.
Cited by	**467.** Guillory v. Greenlee County 2006 WL 2816600, *5+ , D.Ariz. The Court grants Defendant's Motion for Summary Judgment on all claims alleged in the Complaint. Plaintiff is African-American. He is an employee of Phelps Dodge Mining Corporation...	Sep. 28, 2006	Case		12 S.Ct.
Cited by	**468.** Arkansas Emergency Transport, LLC v. City of Sherwood, Arkansas 2008 WL 2367322, *3+ , E.D.Ark. Plaintiff, Arkansas Emergency Transport, LLC ("AET") brings this action pursuant to 42 U.S.C. § 1983, claiming that Defendants-the City of Sherwood, Arkansas and Mayor Bill...	Jun. 06, 2008	Case		5 S.Ct.
Cited by	**469.** Todd v. Briesenick 2012 WL 2370668, *3 , E.D.Cal. Plaintiff, proceeding in this action pro se, has requested leave to proceed in forma pauperis pursuant to 28 U.S.C. § 1915. This proceeding was referred to this court by E.D. Cal....	Jun. 21, 2012	Case		12 S.Ct.
Cited by	**470.** Todd v. Ackley 2012 WL 1593218, *4 , E.D.Cal. Plaintiff, proceeding in this action pro se, has requested leave to proceed in forma pauperis pursuant to 28 U.S.C. § 1915. This proceeding was referred to this court by E.D. Cal....	May 04, 2012	Case		—
Cited by	**471.** Todd v. Bevins 2012 WL 1232490, *4 , E.D.Cal. Plaintiff, who is proceeding without counsel, filed his complaint on March 21, 2012 (Dkt. No. 1). Presently before the court is plaintiff's application to proceed without...	Apr. 12, 2012	Case		12 S.Ct.
Cited by	**472.** Schneider v. Amador County 2011 WL 3876015, *4 , E.D.Cal. This case, in which plaintiff is proceeding pro se, is before the undersigned pursuant to Eastern District of California Local Rule 302(c)(21). See 28 U.S.C. § 636(b)(1). Currently...	Sep. 01, 2011	Case		—
Cited by	**473.** Olivera v. Vizzusi 2011 WL 2366106, *4 , E.D.Cal. This case is before the court on defendants Mark Siemens and City of Rocklin's motion to dismiss plaintiffs Brandon Olivera and Steven Ortmann's Fourth Amended Complaint ("FAC")...	Jun. 09, 2011	Case		3 S.Ct.

Treatment	Title	Date	Type	Depth	Headnote(s)
Cited by	**474.** **Brown v. California** 2011 WL 5827958, *2 , C.D.Cal. On May 4, 2011, Plaintiff Orlando Brown filed this pro se civil rights complaint pursuant to 42 U.S.C. § 1983. Plaintiff paid the $350.00 filing fee. The named defendants are the...	May 18, 2011	Case		12 S.Ct.
Cited by	**475.** **Givens v. City and County of San Francisco** 2011 WL 1225584, *2 , N.D.Cal. Francois P. Givens, formerly a prisoner of the State of California and now living in Las Vegas, Nevada, filed this civil rights action. His first amended complaint is now before...	Apr. 01, 2011	Case		12 S.Ct.
Cited by	**476.** **Hamer v. El Dorado County** 2011 WL 794895, *7+ , E.D.Cal. This case, in which plaintiffs are proceeding pro se, is before the undersigned pursuant to Eastern District of California Local Rule 302(c)(21). See 28 U.S.C. § 636(b)(1). Pending...	Mar. 01, 2011	Case		—
Cited by	**477.** **Atkins v. Adams** 2011 WL 674051, *3 , E.D.Cal. Plaintiff Eddie James Otis Atkins ("Plaintiff") is a state prisoner proceeding pro se and in forma pauperis in this civil rights action pursuant to 42 U.S.C. § 1983. Plaintiff...	Feb. 16, 2011	Case		11 S.Ct.
Cited by	**478.** **Proffitt v. U.S. Dist. Court, Eastern Dist. of California** 2010 WL 5135367, *4 , E.D.Cal. Plaintiff is a state prisoner proceeding pro se. He seeks relief pursuant to 42 U.S.C. § 1983. Pursuant to the court's order, filed on October 4, 2010, plaintiff has requested...	Dec. 08, 2010	Case		8 S.Ct.
Cited by	**479.** **Ogg v. Weiss** 2010 WL 3618693, *3 , E.D.Cal. Plaintiff, proceeding in this action pro se, has requested leave to proceed in forma pauperis pursuant to 28 U.S.C. § 1915. This proceeding was referred to this court by Local Rule...	Sep. 13, 2010	Case		—
Cited by	**480.** **Abner v. Compton Unified School Dist.** 2010 WL 3244746, *8 , C.D.Cal. This Report and Recommendation is submitted to the Honorable Dolly M. Gee, United States District Judge, pursuant to 28 U.S.C. § 636 and General Order 194 of the United States...	Jun. 08, 2010	Case		1 6 S.Ct.
Cited by	**481.** **Hamer v. El Dorado County** 2010 WL 670780, *7 , E.D.Cal. CIVIL RIGHTS - Free Speech. Pro se litigants failed to sufficiently allege a violation of their First Amendment rights.	Feb. 19, 2010	Case		8 10 S.Ct.
Cited by	**482.** **Willis v. City of Fresno** 2009 WL 4828746, *14 , E.D.Cal. CIVIL RIGHTS - Municipal Liability. Under California law, parents of deceased stated claim for negligent wrongful death against city under theory of vicarious liability.	Dec. 09, 2009	Case		12 S.Ct.

Treatment	Title	Date	Type	Depth	Headnote(s)
Cited by	**483.** **Warm Winds v. Probation Dept. of County of Sacramento** 2009 WL 3806089, *4 , E.D.Cal. CIVIL RIGHTS - Due Process. Treatment program failed to establish that it had a property interest in continued existence.	Nov. 12, 2009	Case		5 S.Ct.
Cited by	**484.** **Jadwin v. County of Kern** 2009 WL 2424565, *9+ , E.D.Cal. LABOR AND EMPLOYMENT - Discrimination. Employee demonstrated by a preponderance of the evidence that he had a cognizable property interest in active duty.	Aug. 06, 2009	Case		6 S.Ct.
Cited by	**485.** **Doe ex rel. Gonzales v. Butte Valley Unified School Dist.** 2009 WL 2424608, *5 , E.D.Cal. Plaintiff John Doe brought this action through his guardian ad litem, Nicolasa Gonzales, because two students at Picard Day School allegedly sexually molested and harassed him....	Aug. 06, 2009	Case		2 S.Ct.
Cited by	**486.** **Rotar v. Skaggs** 2008 WL 5411969, *1 , E.D.Cal. Plaintiff, proceeding in this action pro se, has requested leave to proceed in forma pauperis pursuant to 28 U.S.C. § 1915. This proceeding was referred to this court by Local Rule...	Dec. 23, 2008	Case		8 S.Ct.
Cited by	**487.** **Catholic Charities CYO v. Chertoff** 622 F.Supp.2d 865, 888 , N.D.Cal. IMMIGRATION - Visas. Victims of Trafficking and Violence Protection Act did not provide private cause of action regarding issuance of “U” visas.	Dec. 22, 2008	Case		5 S.Ct.
Cited by	**488.** **Harmon v. City of Fresno** 2008 WL 4690786, *10 , E.D.Cal. Defendants County of Fresno ("County") and couple of its agencies and employees seek to dismiss Ms. Harmon's federal civil rights and state tort claims as time barred and...	Oct. 21, 2008	Case		12 S.Ct.
Cited by	**489.** **Harmon v. City of Fresno** 2008 WL 4690897, *9 , E.D.Cal. Defendants City of Fresno ("City") and several of its police officers seek to dismiss Ms. Harmon's federal civil rights and state tort claims as time barred and lacking...	Oct. 21, 2008	Case		12 S.Ct.
Cited by	**490.** **Serrano v. Compton** 2008 WL 4363555, *5 , C.D.Cal. Pursuant to 28 U.S.C. § 636, the Court has reviewed the entire file de novo, including the magistrate judge's report and recommendation, and the objections to the report and...	Sep. 23, 2008	Case		—
Cited by	**491.** **Geyer v. Sailor** 2008 WL 4375760, *6 , C.D.Cal. Pursuant to 28 U.S.C. § 636, the Court has reviewed the entire file de novo, including the magistrate judge's report and recommendation. The Court agrees with the recommendations...	Aug. 25, 2008	Case		—

Treatment	Title	Date	Type	Depth	Headnote(s)
Cited by	**492.** Mellow v. Sacramento County 2008 WL 2169447, *2 , E.D.Cal. This action, in which the plaintiffs are proceeding pro se, has been referred to the undersigned pursuant to E.D. Cal. L.R. 72-302(c)(21). On January 11, 2008, the court issued an...	May 23, 2008	Case		8 S.Ct.
Cited by	**493.** Bates v. Arata 2008 WL 820578, *5 , N.D.Cal. Now before the Court is defendants' motion for summary judgment. After the hearing on the motion, the parties submitted supplemental briefing and, in December 2007, jointly filed...	Mar. 26, 2008	Case		8 S.Ct.
Cited by	**494.** Croteau v. California 2007 WL 4180831, *5+ , S.D.Cal. Presently before the Court are motions to dismiss the first amended complaint for failure to state a claim filed by the City of San Diego ("the City") and the San Diego Police...	Nov. 21, 2007	Case		8 S.Ct.
Cited by	**495.** Whittenberg v. Bortolamedi 2007 WL 521399, *3 , E.D.Cal. This matter is before the court on defendants', Bortolamedi, Johnson and Yelton, motion to dismiss. Defendants Brown and Largent have not joined that motion or otherwise moved to...	Feb. 15, 2007	Case		—
Cited by	**496.** Bariana v. Acree 2007 WL 397192, *3+ , E.D.Cal. This is an action by a taxi cab driver, proceeding in pro per, who disputes a decision by the director of the Sacramento International Airport (defendant G. Hardy Acree) to enter...	Feb. 01, 2007	Case		6 S.Ct.
Cited by	**497.** Rodriquez v. Merez 2006 WL 1747234, *3 , E.D.Cal. On September 30, 2005, this court granted plaintiff's application to proceed in forma pauperis and directed the filing and service of process of plaintiff's complaint. The...	Jun. 21, 2006	Case		2 S.Ct.
Cited by	**498.** Lawrence v. City of San Bernardino 2005 WL 5950105, *5 , C.D.Cal. This matter is before the Court on Defendants'(1) Motion to Dismiss Plaintiffs' Second Amended Complaint (docket no.84), (2) Request to Take Judicial Notice (docket no.84), and (3)...	Jul. 27, 2005	Case		—
Cited by	**499.** Kerr v. Hickenlooper 2012 WL 3089865, *36 , D.Colo. CIVIL RIGHTS - Parties. Legislators had standing to bring suit asserting that initiative requiring voter approval for tax increases was unconstitutional.	Jul. 30, 2012	Case		6 S.Ct.
Cited by	**500.** Rooker v. Ouray County 841 F.Supp.2d 1212, 1220+ , D.Colo. LABOR AND EMPLOYMENT - Public Employment. Allegations were insufficient to plead paramedic was anything but an at-will employee.	Jan. 13, 2012	Case		3 S.Ct.